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THE BERNARDS OF ABINGTON AND NETHER WINCHENDON

VOL. II.

THE BERNARDS OF ABINGTON AND NETHER WINCHENDON

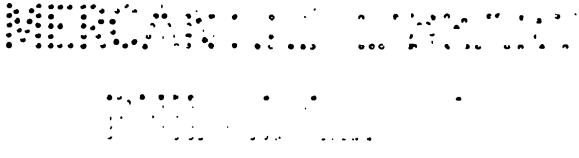
A Family History

BY

MRS. NAPIER HIGGINS

IN TWO VOLUMES

Vol. II.



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THE moderate and courteous tone hitherto observable in the Assembly's answers to the Governor, which breathe a spirit of loyalty to the Crown and of regard for its representative in Massachusetts, renders the subsequent outbursts difficult to understand. But they were undoubtedly the result of secret influence, and of inflammatory newspaper articles prompted by that influence. Few persons, even in Boston, appear to have anticipated the full extent of the evil, except the agitators and some of the followers whom they had instructed, although it was, no doubt, a time of great anxiety to the loyalists.

The intelligence that the obnoxious tax had become law arrived at an unlucky moment,[1] when the annual general

[1] For the events narrated in this and the succeeding paragraphs see Bancroft, *History of the United States* (Edn. 1885), Epoch ii.; Hutchinson, *History of Massachusetts from* 1749 *to* 1774, ch. ii.; *Life of John Adams* (begun by J. Q. Adams, and completed by Charles F. Adams), ch. ii. (written by J. Q. Adams, son of John Adams).

election in May was impending; and it produced an immediate consequence, which was the beginning of trouble. The principal officials in the province—that is, the Lieutenant-Governor, King's Secretary, and Judges of the High Court—had, as a matter of course, for many years been elected annually to the Council; but unhappily Secretary Oliver was the person appointed by the British Government to the office of Stamp Distributor. Up to that time he had been a general favourite; now an attempt was made by the malcontents to exclude him from the Council. Corresponding efforts, it may be supposed, were made on the other side, and Mr. Oliver retained his seat by a majority of three or four votes only. This hairbreadth escape was a serious disaster; but, although duly reported by the Governor, England's statesmen do not appear to have taken warning.

The Governor had a critical task to perform in opening the session, since his speech must of necessity touch on topics connected with the excitement actually prevailing, and from a point of view distasteful to the most stirring members of the Assembly. The biographer of John Adams, his own son, sneers at that part of the speech in which, as he puts it, Mr. Bernard 'descanted to them upon his own exertions to introduce into the province three improvements—namely, potash, hemp, and the carrying lumber to British markets'—and told the House that these were 'proper objects of their concern,' while he recommended submission to the decrees of the Parliament as 'their interest as well as their duty.' There was another unpalatable subject, the revision of the charters, which the Governor was obliged to mention as likely to take place ere long. Contrary to custom, the House vouchsafed no reply to this address.

The younger Adams describes at some length, and with exultation, the further steps taken to worry and embarrass the Governor as follows:

> They did nevertheless, on the afternoon of the day on which it was delivered, appoint committees to consider and report on the paragraphs respecting potash, hemp, and lumber. These committees never did report; but on the 5th of June the Speaker of

the House, together with Mr. Otis and three other members, were appointed a committee to take the last paragraph under consideration, *to prepare a proper answer* and report.

Neither did this committee report; but on the next day the House, 'taking into consideration the many difficulties to which the colonies were and must be reduced by the operation of some late Acts of Parliament,' appointed another committee, consisting of the Speaker and eight other members, of whom Otis was one, to consider what measures had best be taken, and make report. The measure had been preconcerted.

The biographer then goes on to state, that this committee at once reported in favour of a meeting of similar bodies from the Houses of Representatives or burgesses in the thirteen colonies, to be held at New York on the first Tuesday in October, for the purpose of discussing the most efficacious means of protecting their common interests.

It is highly expedient there should be a meeting, as soon as may be, of Committees from the houses of representatives or burgesses in the several Colonies, to consult on the present circumstances of the Colonies, and the difficulties to which they are, and must be reduced, and to consider of a general address—to be held at New York the first Tuesday of October.[1]

Neither the authorities in England nor the Governor and Council seem to have objected to this gathering, although one proposed about forty years earlier had been stigmatised as mutinous. The Governor, indeed, wrote to the Lords of Trade:

It was impossible to oppose this measure to any good purpose; and therefore the friends of Government took the lead in it, and have kept it in their own hands. Two of the three chosen are fast friends to Government, prudent and discreet men, such as I am assured will never consent to any improper application to the Government of Great Britain.[2]

The original delegates from Massachusetts were James Otis the younger—from whom in concert with his father the idea was supposed to emanate—Colonel Worthington, and Colonel Partridge. Worthington excused himself, and was

[1] Gordon, *History, &c., of the United States of America*, vol. i. Letter III.
[2] *Ibid.*

replaced by Brigadier-General Timothy Ruggles, who became president of the congress, a position which proved no sinecure.

The proceedings may be here summarised, although they did not begin till late in the year. Advanced opinions were propounded; Otis signed papers 'inconsistent with the idea of submission to Parliament, and declared American representation to be impracticable.' Ruggles refused his signature 'and cast his lot with the Tories henceforth,' writes Hosmer.[1] This Bancroft, in his peculiar language, styles 'being full of scruples and timidities.'[2] Ogden, of New York, supported him; but the meeting was too divided to settle anything, though nine colonies only were represented, until the unlucky arrival of a cargo of stamps, and the consequent turmoil, induced the majority to consult their safety by signing the above-mentioned documents.

Mr. Hutchinson says that

> The terms Whig and Tory had never been much used in America. The Massachusetts people, in general, were of the principles of the ancient Whigs; attached to the Revolution, and to the succession of the Crown in the house of Hanover. A very few, who might have been called Tories in England, took the name of Jacobites in America.[3]

But now this was altered by the agitators:

> All on a sudden, the officers of the Crown, and such as were for keeping up their authority, were branded with the name of Tories, always the term of reproach; their opposers assuming the name of Whigs, because the common people, as far as they had been acquainted with the parties in England, all supposed the Whigs to have been in the right and the Tories in the wrong.

Agitation prevailed more or less in every province during the whole summer of 1765. As regarded Massachusetts it

[1] Hosmer, *Samuel Adams*, ch. v., 'Parliamentary Representation and the Massachusetts Resolves.' See also other histories.

[2] Bancroft, *Hist. U.S.*, Epoch ii. ch. xii.

[3] Hutchinson, *Hist. Mass.* ch. ii.

came to a climax in August, when the first cargo of stamps was daily expected to reach Boston.

The daybreak of Wednesday, the 14th of August [writes Bancroft], saw the effigy of Oliver, the stamp distributor for Boston, tricked out with emblems of Bute and Grenville, swinging on the bough of an elm, the pride of the neighbourhood, known as 'the Great Tree,' standing near what was then the entrance to the town. The pageant had been secretly prepared by Boston mechanics, true-born sons of Liberty: Benjamin Edes, the printer; Thomas Crafts, the painter; John Smith and Stephen Cleverly, the braziers; and the younger Avery; Thomas Chase, a hater of kings; Henry Bass and Henry Welles. The passers-by stopped to gaze on the grotesque show, and their report collected thousands. Hutchinson, as Chief Justice, ordered the Sheriff to remove the images. 'We will take them down ourselves at evening,' said the people.

Bernard summoned his Council. 'The country,' whatever may be the consequence, said some of them, 'will never submit to the execution of the Stamp Act.' The majority spoke against interfering with the people. Bernard and Hutchinson were still engaged in impotent altercations with their advisers, when, just after dark, an 'amazing' multitude, moving in the greatest order, and following the images borne on a bier, after passing down the main street, marched directly through the old State House and under the Council Chamber itself, shouting at the top of their voices 'Liberty, property, and no stamps!' Giving three huzzas of defiance, they next in Kilby Street demolished the frame of a building which they thought Oliver destined for a stamp office; and with the wooden trophies made a funeral pyre for his effigy in front of his house on Fort Hill.

'The Stamp Act shall not be executed here,' exclaimed one who spoke the general sentiment. 'Death to the man who offers a piece of stamped paper to sell!' cried others. 'All the power of Great Britain,' said a third, 'shall not oblige us to submit to the Stamp Act.' 'We will die upon the place first' declared even the sober-minded. 'We have sixty thousand fighting men in the colony alone,' wrote Mayhew. 'And we will spend our last blood in the cause,' repeated his townsmen.

Hutchinson directed the Colonel of the Militia to beat an alarm. 'My drummers are in the mob,' was his answer. With the Sheriff, Hutchinson went up to disperse the crowd. 'Stand by, my boys,' cried a ringleader; 'let no man give way;' and Hutchin-

son, as he fled, was obliged to run the gauntlet, not escaping without one or two blows. At eleven, the multitude repaired to the Province House, where Bernard lived, and after three cheers they dispersed quietly.[1]

This account of Mr. Hutchinson's behaviour must be received with the greatest caution. It is part of Bancroft's plan to brand the Governor, Lieutenant-Governor, and all prominent loyalists as cowards. Moreover, this historian appears to have given a very mitigated account of the riot. In a letter quoted by the English historian, Belsham, himself a man of decidedly liberal principles, we have the view taken by a contemporary resident in Boston; the letter having, as the historian states, been selected from amongst a large number of similar documents giving narratives of these 'most dreadful disturbances.' The first part of the letter describes the hanging of Oliver in effigy, and the demolition of the supposed stamp office, to the same effect as Bancroft. The writer then proceeds to notice an attack on Mr. Oliver's own house:

Mr. Oliver had removed his family from his house, and remained himself with a few friends, when the mob returned to attack the house. Mr. Oliver was prevailed upon to retire, and his friends kept possession of the house. The mob, finding the door barricaded, broke down the whole fence of the garden towards Fort Hill; and coming on, beat in all the doors and windows of the garden front, and entered the house, the gentlemen then retiring. As soon as they had got possession, they searched about for Mr. Oliver, declaring they would kill him. Finding that he had left the house, a party set out to search two neighbouring houses, in one of which Mr. Oliver was; but happily they were diverted from this pursuit by a gentleman telling them that Mr. Oliver was gone with the Governor to the Castle, otherwise he would certainly have been murdered.

After eleven o'clock, the mob seeming to grow quiet, the Lieutenant-Governor (Chief Justice) and the Sheriff ventured to go to Mr. Oliver's house, to endeavour to persuade them to disperse. As soon as they began to speak, a ringleader cried out, 'The Governor and the Sheriff! to your arms, my boys!'

[1] Bancroft, *History U.S.*, Epoch ii. ch. xi.

Presently after a volley of stones followed, and the two gentlemen narrowly escaped through the favour of the night.[1]

Bancroft represents Governor Bernard as deserting his post by hurrying to the Castle, and adds the minute detail, on what authority I know not, that 'he did not cease trembling even within its walls.'[2] It has, however, been shown that the Castle was his customary residence during the hot months, and he was especially careful to be there at this particular moment to prepare for the arrival of the stamps. The British Government left him without official information; but it was strongly rumoured that at any hour the stamps might arrive, not carefully guarded, but packed on an ordinary merchant-vessel; he had therefore strengthened the fort and garrison, and was on the watch to ensure that the stamps should be carried there direct. In default of such precautions it was probable that the people would at once seize and destroy them, thus committing the town to an open defiance of Government. On hearing of the riot, however, the Governor hurried, not out of, but into, Boston. Bancroft's own narrative shows that he was deliberating with his Council that same evening, and was at the Province House when the rioters passed it at 11 P.M. The hour must have been late for the Boston of that period, and it is most likely that Mr. Bernard, having been detained so long and by such serious manifestations, would remain in the Government mansion until the morning.

With regard to the ensuing days he was probably guided by circumstances, not losing sight of the possible arrival of the stamps, but spending much of his time in Boston when necessary. The incapacity of the British Government was singularly manifest by the fact that, while eagerly forcing obnoxious measures on the American colonists, it had left

[1] Belsham, *Memoirs of the Reign of George III.*, 6th Edn., Appendix to vol. ii. 'Papers Relative to American Taxation.'

[2] Julia Bernard has stated in her Reminiscences that the Governor and his family always spent the hot months at Castle William (see ch. viii.), and Thomas Bernard testifies to his father's measures for the reception and safe custody of the expected stamps. See *Life of Sir Francis Bernard*, by One of his Sons (Thomas).

the American Governments destitute of means for preserving order. Nowhere was this more completely the case than in the democratic province of Massachusetts, whose very Constitution portended mischief. In a letter to Lord Halifax, written the day after the riot, Governor Bernard entered upon the subject.

'As to myself,' he observes, 'I am so utterly unable to oppose or correct an insurrection of this kind that it would be the highest folly to attempt it.'[1] He repeats a few days later, to Mr. Jackson, the friend and secretary of Lord Halifax, who was also Provincial Agent, the details he had given to the Minister, and then remarks:

> It has been my opinion that the first thing to be done in America was to regulate, support, and strengthen the Governments. In case of popular tumult I cannot command ten men that can be depended upon. The Militia are worse than no soldiers at all; and there is not, that I know of, a corps of regulars within two hundred miles of me. Under such a disability of government, to send hither ordinances for execution, which the people have publickly protested against as illegal, and not binding upon them, without first providing a power to enforce obedience, is tempting them to revolt.[2]

The Governor and Council had, indeed, issued a proclamation for the discovery and arrest of insurgents, but they had no means of enforcing it. The next extract given by Belsham, from a private letter of the correspondent previously quoted, runs as follows: 'It is difficult to conceive the fury which at present possesses the people of Boston of all orders and degrees of men. If a gentleman in common conversation signifies his disapprobation of this insurrection, his person is immediately in danger.'[3] And Bancroft glories over this state of affairs, which he describes vigorously:

> 'The prisons,' said Mayhew, 'would not hold them many

[1] 'Letter from Governor Bernard to the Earl of Halifax,' dated '15 August, 1765.' Quoted in *Life of Sir Francis Bernard.*

[2] 'Letter from Governor Bernard to Richard Jackson, Esq.,' dated '24 August, 1765.' Quoted in *Life of Sir Francis Bernard.*

[3] Belsham, *Memoirs of the Reign of George III.* Appendix to vol. ii.

hours. In this town and within twenty miles of it, ten thousand men would soon be collected together on such an occasion.' And on the next Lord's Day but one, before a crowded audience, choosing as his text, 'I would they were even cut off which trouble you; for, brethren, ye have been called unto liberty,' he preached fervidly in behalf of civil and religious freedom.[1]

Fresh outrages followed at once, which are curtly disposed of by Bancroft:

At nightfall on the 26th a bonfire in front of the old State House collected a mixed crowd. They first burnt all the records of the hated Vice-Admiralty Court, next ravaged the house of the Comptroller of the Customs, and then, giving Hutchinson and his family barely time to escape, split open his doors with broad axes, broke his furniture, scattered his plate and ready money, his books and manuscripts, and at daybreak left his house a ruin.

A letter quoted by Belsham gives some details of this riot, which agree with Mr. Hutchinson's own account in his 'Diary.' The letter states:

August 31.—It is with the utmost concern that I am obliged to continue the subject of my last letters. After the demolition of Mr. Oliver's house was found so practicable and easy, and that the Government was obliged to look on without being able to take one step to prevent it, and the principal people of the town publicly avowed and justified the act, the mob became highly elated. The Lieutenant-Governor had been apprised that there was an evil spirit gone forth against him; but being conscious that he had not in the least deserved to be made a party in regard to the Stamp Act or the Custom House, he rested in full security that the mob would not attack him, and he was at supper with his family when he received advice that the mob was coming to him. He immediately sent away his children, and determined to stay in the house himself; but happily his eldest daughter returned, and declared she would not stir from the house unless he went with her; by which means she got him away, which was undoubtedly

[1] Bancroft, *Hist. U.S.*, Epoch ii. ch. xi. It should be observed that, in an earlier edition of Bancroft's *History*, published by Routledge, the epithet 'incendiary preacher' is applied to Mayhew. In the edition from which I have quoted, these words, though accurately descriptive of Mayhew, are omitted.

the occasion of saving his life. Everything moveable was destroyed in the most minute manner, except such things of value as were worth carrying off. But the loss to be most lamented is a large and valuable collection of MSS. and original papers; as these related to the history and policy of the country from the time of its settlement to the present time, and was the only collection of its kind, the loss to the public is great and irretrievable.[1]

Mr. Hutchinson[2] himself estimated the damage done to him, so far as it could be pecuniarily estimated, at 2,500*l.*, a much more considerable sum in his day than now, but he seems to have understated his loss; moreover, the value of the archives just mentioned and of some of his private property could not be priced in money. Nothing was left in the house and cellars except the furniture of a kitchen, and the rioters even 'pulled down as much of the partitions and roof of the house as the time between eight o'clock in the evening and four in the morning would admit.' As regards his History, the Lieutenant-Governor states that it was so far advanced as to be little affected by the catastrophe. Yet it was apparently delayed by this and perhaps other troubles. He afterwards wrote the history of the years which came within his own observation, and that supplementary volume was published in England.[3]

The events of this dreadful night made a deep impression upon Julia Bernard, then in her sixth year. She says in her Reminiscences:

> While the family was resident at Castle William my father came one night in his barge from Boston and brought Lieutenant-Governor Hutchinson, his sister and two daughters, whom he had thus rescued from the fury of the mob. They had forced the house; the family fled for their lives; my father's barge was in waiting for him, and he took them under his protection. The house was stripped of everything, and pulled down that night. They had nothing but what they had on; I can remember my mother getting them out clothes, and ordering beds to be prepared. Terror and distress sat upon their countenances.

[1] Belsham, *Memoirs of the Reign of George III.*, vol. ii. Appendix, 'Letter of August 31.'

[2] Hutchinson, *Diary and Letters*, vol. i. ch. iii. [3] Long after his death.

Of the sequel to this misfortune Mr. Hutchinson writes:

> The Superior Court was to be held the next morning in Boston. The Chief Justice, who was deprived of his robes and all other apparel, except an undress he was in when the mob came, appeared in that undress and an ordinary great coat over it, which he borrowed, and to as crowded an audience as ever appeared in Court, instead of the usual charge to the Grand Jury, he addressed himself,[1]

describing at some length his destitute condition and the dangerous state of the town. 'He spoke near half an hour to the people who, the same forenoon, assembled in as great a crowd at Faneuil Hall, and with one voice expressed their detestation of the disorders the evening preceding, a great number of the actors and promoters being present.'

In the evening Mr. Hutchinson returned to the Castle for that night; after which he retired, 'though not without apprehensions of danger,' to his house at Milton. In Boston he had no longer a home:

> People came in from many parts of the country [he writes sadly] to view the ruins of the Lieutenant-Governor's house, outbuildings, garden, &c., and from the shocking appearance could not help expressing a disapprobation of such acts of violence. Their prejudices, however, were not abated against the Stamp Act. The execution of it must be hindered some other way.[2]

At this crisis[3] the preacher Mayhew, and also the popular leader, Samuel Adams, ostensibly condemned the attack on the Chief Justice; but their half-hearted utterances were of little use, since these demagogues continued to laud the rioters of the 14th, holding that Mr. Oliver had deserved punishment for consenting to act as Stamp Distributor, and were also foremost among those who publicly consecrated the great elm, on which the effigies had hung, as 'The Tree of Liberty.'

[1] Hutchinson, *Diary and Letters*, vol. i. ch. iii.
[2] *Ibid.*, *History of Massachusetts from* 1749 *to* 1774, ch. ii.
[3] Bancroft, *Hist. U.S.*, Epoch ii. ch. xi.

Why Mr. Hutchinson should have been selected as a principal victim requires consideration. He had always been highly respected; so, indeed, had Secretary Oliver; but the Lieutenant-Governor had, moreover, a widespread reputation, of which the province up to that time had seemed proud, and was in no way connected with the Stamp Act, which he was known to dislike.[1] Mr. Hutchinson seems to have believed that the merchants who had been branded as 'illicit traders' were ringleaders in the riot; and certainly the letter quoted by Belsham speaks of the 'principal people in the town' as publicly justifying the act. But, as already observed, the paper-money question must have made Mr. Hutchinson many more enemies, and of all classes, with the fatal climax that he had thus made Samuel Adams his enemy, and that Adams had men of various grades, down to the lowest, at his beck and call.

It need hardly be said that the person or persons who either let loose the populace with full license to commit outrages, or even failed to restrain the lawless mob at such a critical moment, incurred a grave responsibility; and amongst these must be included not only merchants and professional agitators, but also ministers of the Mayhew type. Some wished to stop the movement when it was too late—and wished in vain.

It was now [says the writer quoted by Belsham] becoming a war of plunder, of general levelling, and taking away the distinction of rich and poor, so that those gentlemen who had promoted and approved the cruel treatment of Mr. Oliver became now as fearful for themselves as the most loyal person in the town could be.[2]

Mr. Hutchinson relates that

The Justices of the Peace being ordered to attend the Governor and Council, one, who had been most active in town meetings, &c., complained that his own life had been threatened, and wept.

[1] Hutchinson, *Diary and Letters*, vol. i. ch. iii., and *Hist. Mass.*, ch. ii.; Hosmer, *Samuel Adams*, ch. iv., 'In the Massachusetts Assembly.'

[2] Belsham, *Memoirs of the Reign of George III.*, vol. ii. Appendix, 'Letter of August 31.'

The Governor observed to him that he had raised the devil and could not lay him again.[1]

In the 'Life of John Adams,' by his son, it is stated that 'None of the persons concerned in these outrages were ever punished. Six or eight were apprehended and committed to prison. But before the time of trial the keys of the prison were extorted from the gaoler and the prisoners were all set at liberty.'[2] Mr. Hutchinson gives a similar account in his 'Diary.' Many families left Boston terrified, in some cases removing their goods also. A certain number of these took refuge in England, pioneers of that extensive immigration which was impending. The Attorney-General, Goffe,[3] who expected death at the hands of the mob, hid himself, moving, it was said, from one place of concealment to another.

The Governor had assembled his Council, and with difficulty obtained from that body the necessary sanction to call out the Militia and cadet guards.[4] What he thought of the Militia has been shown, but he had no choice; he, however, endeavoured to increase the efficiency of the cadets—his own especial guard of honour—by persuading several gentlemen to serve as volunteers in the corps sent to protect the Custom House. Among these volunteers was his second son, John, then about twenty years of age, whose presence in America is first noticed on this occasion, and creditably, since the Custom House, in spite of the threatening populace around, was effectually protected.

Fortunately the stamps did not arrive so soon as had been anticipated, and in the interval much of the popular excitement had died away, mainly, perhaps, in consequence of the news which reached Boston in September that a change of Ministry had taken place in England. Even

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] *Life of John Adams*, ch. ii. (written by J. Q. Adams, son of John Adams).

[3] Goffe afterwards changed his name, and is best known as Judge Trowbridge.

[4] *Life of Sir Francis Bernard.*

before Grenville's Act had begun to spread dismay in the ranks of American loyalists the Prime Minister had been superseded by the Marquis of Rockingham, and, from the time when this intelligence became public, the moderate Whigs, who were willing to hope for the best, gradually detached themselves from the extreme party of irreconcilable 'patriots.'

In consequence, apparently, of Mr. Bernard's strong remonstrances to the British Government on the defenceless state of his province, he received from General Gage the offer of 'one hundred men and twelve artillerists,' to be collected from the various posts about Halifax, in Nova Scotia, a distance of more than four hundred miles from Boston. On this offer Thomas Bernard remarks: 'It would be doing injustice to suppose that this detachment was offered as the instrument of restoring tranquillity to the province or efficiency to the Government of Massachusetts Bay, a country exceeding in extent and equalling in population many Sovereign states in Europe.' In fact, it was simply proposed that these soldiers should garrison the fort in Boston Harbour—a measure which appeared to the Governor calculated only to produce irritation without inspiring awe. He therefore declined their services. 'The Stamp Act,' continues Thomas Bernard, 'was to take place (*sic*) on the 1st of November. In the meantime Governor Bernard had done that which had not been effected in the Royal Government of New York, though the headquarters of General Gage and his army: he had secured the stamps and deposited them in the Castle.'

It was less easy for Mr. Bernard to persuade the Assembly into sanctioning the distribution of the stamps. He convened that body on September 25, and opened the proceedings by the following address:[1]

[1] Hutchinson, *Hist. Mass. from* 1749 *to* 1774; Appendix. *The Gentleman's Magazine* for 1765; Supplement, 'The Speech of His Excellency Governor Bernard to the General Assembly of the Province of Massachusetts Bay, in New England, on the 23rd of September, on the subject of the Stamp Act.' In both these publications the Governor's speech is reported at full length.

Gentlemen of the Council and Gentlemen of the House of Representatives,—

I have called you together at this unusual time, in pursuance of the advice of a very full Council, that you may take into consideration the present state of the province, and determine what is to be done at this difficult and dangerous conjuncture.

The speech is too long to be given in full, but some passages are here quoted—passages, I may say, as outspoken as any it contains:

. . . . Upon this occasion it is my duty to state to you what will probably be the consequences if you should suffer a confirmed disobedience of this Act of Parliament to take place. I am sensible how dangerous it is to speak out at this time and upon this subject; but my station will not allow me to be awed or restrained in what I have to say to the General Court; not only my duty to the King, but my duty to the province, my love to it, my concern for it, oblige me to be plain and explicit upon this occasion. And I hope no advocate for liberty will violate that essential constitutional right, freedom of speech in the General Assembly.

As I desire not to dictate to you, and would avoid all appearance of it, I shall resolve what I have to recommend to your consideration into mere questions, and avoid assertions of my own in matters which are doubtful. I shall not enter into any disquisition of the policy of the Act; it has never been a part of my business to enter into any judgment of it; and as I have not hitherto had any opportunity to express my sentiments of it, I shall not do it now. I have only to say that it is an Act of the Parliament of Great Britain, and as such ought to be obeyed by the subjects of Great Britain. And I trust that the supremacy of that Parliament over all the members of their wide and diffused Empire never was, and never will be, denied within these walls.

The Governor then entered at some length into various reasons for submission, especially the injury to trade and navigation—the stoppage, in fact, of all business meaning widespread misery among the lower classes—which would follow a refusal to use the stamps, and concluded with this paragraph:

I am aware that endeavours have been, or may be used, to lessen my credit with you, which I have hitherto always studied

to improve to the advantage of the province. Violences seldom come alone; the same spirit which pulls down houses attacks reputations. The best men in the province have been much injured in this way. I myself have not escaped malignity. But I shall not lower myself so as to answer such accusers. To you I shall always owe such explanations as shall be necessary to the improvement of a good understanding between us. However, I will take this opportunity to declare publicly, that ever since I sat in this chair I have been constantly attentive to the true interests of the province according to the best of my understanding, and have endeavoured to promote them by all means in my power. The welfare of this people is still uppermost in my heart; and I believe no man feels more for them than I do at this present time.

Thus ended the main speech. Then followed a recommendation to the representatives to provide compensation for the sufferers in the late riots, and an offer to the whole General Court of a recess, during which the members would have a quiet time for explaining the situation, without interruption, to their constituents.

The son of John Adams, after commenting angrily on the Governor's appeal, declares that this conclusion 'had an aspect rather ludicrous.'[1] Mr. Hutchinson writes: 'The speech in general was animated, but the conclusion was faint.' Indeed, the Opposition had evidently predetermined to render it ineffective by observing silence, instead of acceding to the suggestion of a recess, as the most effectual means of annoying the Governor; and the Opposition was beginning to rule the House. The opening of this session was marked by a memorable incident—the introduction of Samuel Adams to a recognised phase of public life.

Just now it was that Oxenbridge Thacher, a member of the Assembly, an ardent patriot, and the associate of James Otis in the case of the writs of assistance, died at the age of forty-five. On September 27 the town elected Samuel Adams his successor. The record in the hand of William Cooper states that the election took place on the second ballot, the candidate receiving two hundred and sixty-five votes out of four hundred and forty-eight. He appeared the same day in the Assembly-room in the west end of

[1] *Life of John Adams*, by J. Q. Adams, ch. ii.

the second storey of the old State House, and was immediately qualified, a moment only before the body was prorogued by the Governor.[1]

It had been called together at an unusual time for a special purpose; its answer to Mr. Bernard's speech expressed a determination not to carry out the provisions of the Stamp Act, and the Governor's only hope of averting the deadlock which seemed imminent was by obliging the members, whether they would or no, to take time for reflection. He needed the interval also to think over his own difficulties, to consult with the judges of the Superior Court, then 'absent in a remote county,' and to write to England for further instructions. This is what Bancroft calls proroguing 'in a fright.'

The Assembly met again on October 23. Only the Governor's message concerning the stamps had been answered as yet; but a large committee had since been formed to compose an oration answering the entire address. Of this Samuel Adams is said to have been the real writer. 'As he had the whole interval of the recess to prepare it, the answer was elaborate and full of sarcasm,' writes Mr. J. Q. Adams.[2] It was, no doubt, a peculiarly irritating composition, since it vaunted the intense loyalty of the Legislature and people of Massachusetts, laying the blame of every outbreak of lawlessness on a few persons overexcited by the political crisis, although the majority of the House must have known that its own machinations had fanned the excitement into a flame and hindered the punishment of evildoers, and also had gone very near representing the Governor as responsible for that Stamp Act which, as the members were perfectly aware, he disliked and anxiously desired to see repealed.

On this point they spoke as follows:

You are pleased to say that the Stamp Act is an Act of Par-

[1] Hosmer, *Samuel Adams*, ch. iv., 'In the Massachusetts Assembly.'

[2] *Ibid.* v., 'Parliamentary Representation and the Massachusetts Resolves'; *Life of John Adams*, by J. Q. Adams, ch. ii.

liament, and as such ought to be observed. This House, Sir, has too great a reverence for the Supreme Legislature of the nation to question its authority. It by no means appertains to us to presume to adjust the boundaries of the power of Parliament; but boundaries there undoubtedly are. We hope we may, without offence, put your Excellency in mind of that most grievous sentence of excommunication solemnly denounced by the Church in the name of the sacred Trinity, in the presence of King Henry the Third and the estates of the realm, against all those who should make Statutes or observe them, being made contrary to the liberties of Magna Charta. We are ready to think those zealous advocates for the Constitution usually compared their Acts of Parliament with Magna Charta; and if it ever happened that such Acts were made as infringed upon the rights of that charter they were always repealed. We have the same confidence in the rectitude of the present Parliament, and therefore cannot but be surprised at an intimation in your speech, that they will require a submission to an Act as a preliminary to their granting relief from the unconstitutional burdens of it; which we apprehend includes a suggestion in it far from your Excellency's design, and supposes such a wanton exercise of mere arbitrary power as ought never to be surmised of the patrons of liberty and justice.[1]

Then the members went into the question of alleged rights conferred by the charter of the province on the General Assembly—to make laws for its internal government and taxation—and touched on the grievance of non-representation, professing to think that the Governor had enunciated an opinion against them on this point. They flatly refused to make any use of stamps, whatever might be the consequences, and made reflections on the Governor's conduct which will be best understood from his reply. This reply has been remarked upon as long and 'prolix'; but, in point of fact, it is considerably shorter than the

[1] *The Gentleman's Magazine* for 1765; Supplement, 'The Answer of the Great and General Court of Assembly of Boston, in New England, on October 28, to the foregoing Speech of His Excellency Governor Bernard on occasion of the Stamp Act.' The date, 'October 28,' seems to be a misprint, as the Governor replied to this Answer on the 25th. One of these two dates must, of course, be wrong, and the date of the Governor's Reply appears to be sufficiently corroborated.

speech of the House.'[1] Mr. Bernard begins by saying to the General Court:

I was so determined to let the business of this part of the sessions pass on without any interruption from me, that I have postponed doing myself justice in a matter in which I think I have been much injured. But as it has not been my intention to pass it over in silence, and therefore seem to admit the justice of the charge, I take this opportunity to make the following expostulation.[2]

The remonstrance was addressed to the 'Gentlemen of the House of Representatives'; but only a few lines can be quoted to give an idea of its argument:

I have happened to be the Governor of this Province at a time when the Parliament has thought proper to enact a taxation of the colonies. It is not pretended that I have promoted this tax, nor can it with any truth be pretended that I have had it in my power to oppose it by any means whatsoever. However, when the Act was passed, it brought upon me a necessary duty, which, it seems, did not coincide with the opinions of the people. This is my offence; but it is really the offence of my office, and against that you should have expressed your resentment, and not against my person. If I could have dispensed with my duty, perhaps I might have pleased you; but then I must have condemned myself, and been condemned by my Royal Master. I cannot purchase your favour at so dear a rate. . . .

You seem to be displeased with my making the opposition to the execution of the Act of Parliament a business of the Provincial Legislature. But, gentlemen, you should consider that it was in pursuance of the unanimous advice of a very full Council that I called you together for this very purpose. It was necessary for me to explain the cause of your meeting; and I could not avoid being explicit upon the subject, consistent with my sense of my duty. I should have thought myself very inexcusable if I had foreseen dangers to the province like to arise from the behaviour of the people, and not have warned you against them.

You charge me with casting a reflection on the loyalty of the province, by wresting my words to a meaning which it is not

[1] It occupies about four columns, the Speech of the House about six columns, in *The Gentleman's Magazine*.

[2] *The Gentleman's Magazine*, January 1766.

easy to conceive how they could be thought to bear. No one, gentlemen, has been louder in proclaiming the loyalty of this province than I myself have; I have boasted of it; I have prided myself in it; and I trust the time will come when I shall do so again.

He refers to the registered testimonies of their approval of his administration in previous years, to his letters in the English public offices as proofs of his interest in the welfare of the province, adding, 'I shall still serve it by all the means in my power,' and warning the malcontents that they might one day want advocates and friends to plead their cause with the English authorities. This, under a firmer Government, might have happened. He concludes: 'The pains which are taken to disunite the General Court must have bad consequences, more or less. But they shall not prevent me pursuing such measures as I shall think most conducive to the general welfare of the province.'

The House continued obdurate, and on the 28th once more emphatically refused to sanction the distribution of the stamps. On the 30th it adopted fourteen resolutions, drawn up by Samuel Adams, against the claim of Great Britain to tax America; according to Hutchinson, 'three-fourths of the members who voted for them were the same persons who, but one session before, had voted for an address explicitly admitting the right of Parliament to tax the colonies.'

Soon after the delivery of his first speech in September Mr. Bernard wrote to General Conway, the new Secretary of State:

By my letter to Lord ——, bearing date the 7th instant, I informed [*sic*] that I had called the General Assembly to meet at Boston the 25th instant; this was done, not so much with the prospect of success, as that nothing might be left untried to procure obedience to the Act of Parliament. Before the Assembly met I was particularly cautioned against speaking freely on the subject of the Act of Parliament; that the people would not bear to hear of a submission to it; and therefore it would be best to say as little of it as possible. But I observed the violence of the mob had intimidated some of the best men of the pro-

vince and left the cause of the King and Parliament almost without an advocate; that if I should be awed also, so as not to explain to the Assembly the nature of the business for which they were called, there would be no means left to bring the people to their senses, and open their eyes to the danger they were running headlong into. It was therefore necessary for me to speak not only freely, but fully, upon the subject; as my speech would be the only antidote for the poison which was continually distributed in weekly papers. But I meant to be as cautious as I could, without weakening the force of my argument. I accordingly opened the session with the speech as enclosed; and herein I must beg your Honour's indulgence, in regard to the improprieties of it, that you will be pleased to consider it as addressed to a particular people and for particular purposes, which induced me to treat a delicate subject with more freedom than I should have done if my cause had not required it.

I shall constantly communicate to your Honour what shall further happen upon this dangerous and perilous situation; in the midst of those who first stirred up these disturbances; without a force to protect my person, without a Council to advise me; watched by every eye, and misrepresented and condemned for everything I do on the King's behalf; not indeed charged personally with any default of my own, but continually arraigned and abused for the execution of the functions of my office. If things do not take another turn before the 1st of November, the appearance of government must cease; as the real authority has ever since the first riot. I must, however, when I mention my being without a Council, except the Lieutenant-Governor, whose zeal for his Majesty's service, and firmness of mind, has not been abated by the cruel treatment he has met with.[1]

In a subsequent letter Mr. Bernard says 'that he would endeavour to keep his post, if possible, until he should receive his Majesty's orders, which he should expect, not without impatience.'[2] He continues:

I inclose with this copies of my speech to the General Court, the answer of the House of Representatives, and my reply thereto; from all which I hope it will appear that I have left nothing

[1] *Select Letters*, 'Letter VIII. to —— —— ——, Esqre.' (Henry Seymour Conway, Secretary of State, better known as General Conway), Boston, October 28, 1765. This is the date given in *Select Letters*, but it is clearly wrong. Thomas Bernard, in his *Life* of his Father, ascribes it to September.

[2] *Life of Sir Francis Bernard.*

undone to procure that obedience to this Act which I think due to every Act of Parliament from all British subjects. I am told here that I have done more than I need have done; in that I must judge for myself; certainly I have sacrificed to my duty considerably. Such I reckon my losing the general goodwill and good opinion of the people, not by any act of my own, but by the unavoidable obligations of my office, in a business in which I had no concern but as an executive officer.

I would not presume to give advice to his Majesty's Ministers of State; but yet I hope I shall be excused when I reveal my earnest wishes that some means may be found to make it consistent with the dignity of Parliament to put the Stamp Act out of the question, at least for the present. For I am persuaded that measures, which are now become more than ever necessary for bringing America into good order, will meet with tenfold difficulty if taken before the present fermentation has subsided. At present by artifice, prejudice, and passion, good men and bad men are unaccountably confounded together; a little time and management will separate them and bring them under their proper arrangements.[1]

November 1 arrived, and was everywhere heralded by demonstrations of indignation, muffled bells, minute guns, and flags half-mast high, with an accompaniment of seditious speeches; but in Boston it passed off more quietly than in many other provincial capitals.[2] In New York Colden, the Acting Governor, was compelled to deliver the stamps into the keeping of the Common Council, a municipal body elected by the people. He fought hard, but his own Council turned against him, and General Gage deprecated further resistance. The stamps were lodged in the City Hall, and when Moore, the new Governor, arrived, he also gave way, 'dismantled the fort, and suspended his power to execute the Stamp Act.'

On the 23rd Governor Bernard wrote to a nobleman,

[1] *Select Letters*, 'Letter VIII. to —— —— ——, Esq. (H. S. Conway), Secretary of State, Boston, October 28, 1765.' These two paragraphs are, indeed, printed in the collection as part of the same letter as the foregoing. It is not impossible for the letter to have been sent with the speeches enclosed on October 28, just after they had been delivered; but Thomas, in the *Life*, gives November 25 as its date. I cannot account for the mistakes in the *Select Letters*.

[2] Bancroft, Hosmer, and other histories.

whose name is not given, a remonstrance on the subject of the Stamp Act, which he ventured to characterise as neither equitable nor practicable at that particular moment.

I do not mean to dispute the reasonableness of America contributing to the charges of Great Britain when she is able; nor, I believe, would the Americans themselves have disputed it at a proper time and season. But it should be considered that the American Governments themselves have in the prosecution of the late war contracted very large debts, which it will take some years to pay off, and in the meantime occasion very burdensome taxes for that purpose only. For instance this Government, which is as much beforehand as any, raises every year 37,500*l.* sterling for sinking their debt, and must continue it for four years longer at least before it will be clear.[1]

It was Mr. Bernard's opinion, consequently, that no such tax ought to have been even contemplated until that period had elapsed.

In the same letter, which is a long one, the Governor discussed the subject of American representation. 'He had been informed by his private correspondents,' says his son, 'that the measure of a permanent American representation was inadmissible in England; he therefore recurred to the remedy which held the next rank in prospect of success,'[2] suggesting the election of thirty delegates from the continent and fifteen from the islands, who were to be summoned to England to discuss 'the terms of relation between Great Britain and her colonies.' And in another letter, addressed to Mr. John Pownall, Under-Secretary of State, the Governor observes that when the 'patchwork government' of America should be at length revised and settled on a firm basis, representatives from that country would be no longer needed; 'they may return and serve in their own Assemblies, which then may be as separate from that of Great Britain as that of Ireland.' At this time Ireland had a Parliament of its own.

[1] *Select Letters*, 'Letter IX. to the Lord ——, Boston, November 23, 1765.' Thomas Bernard quotes from this letter at some length in the *Life*, but does not state to whom it was addressed.

[2] *Life of Sir Francis Bernard.*

To a different correspondent, whose name is left blank, Mr. Bernard sent a letter, with a copy of his 'Principles of Law and Polity,' supposing that the essay, which had passed without notice from any member of the Ministry to whom it had been forwarded, was by this time forgotten. In this letter he observes:

The present distresses of the American Governments are fatal and unhappy comments upon my work, such as I never desired to see. A further delay of a Parliamentary regulation of the American Governments, and, above all, ascertaining the nature of their subordination, will, I fear, make the business irretrievable. When the Americans have actually acquired the power of defying the Parliament, which some of them vainly pretend to now, a separation will soon follow. The weak patchwork Government of this country has no power to defer such an event one hour after the people have resolved upon it.[1]

But neither did this remonstrance produce any effect.

[1] *Select Letters*, 'Letter X. to ---- ----, Esquire, Boston, Dec. 14, 1765.'

CHAPTER XVII

THE REPEAL OF THE STAMP ACT

Attitude of the British Government—Outrage on Secretary Oliver—A Petition from the Inhabitants of Boston to the Governor and Council, drawn up to order the Courts to proceed without Stamps—A Committee of Grievances—Rejoicing at Boston over the Repeal of the Stamp Act—Governor Bernard objects to the appointment of James Otis as Speaker of the House of Representatives—Vetoes Six Councillors—Letter from General Conway—Governor Bernard's Speech to the House of Representatives on the Subject of Compensation to the Sufferers in the Riots—Efforts of the House of Representatives to Embarrass the Government—A New Occasion of Trouble—A Demand for the Abolition of Slavery.

GOVERNOR BERNARD was hardly prepared for the next proposition of the British Government, which displayed an ignorance of the state of Boston, or rather a determination to ignore all the information received on that subject, scarcely credible, and utterly bewildering to its supporters in Massachusetts.[1] The Lords of the Treasury, who had been early advised that Secretary Oliver had resigned his post of stamp distributor to save his life, despatched a request to the Governor, which reached him before the end of November, that he would himself temporarily undertake the distribution—a proceeding calculated not only to degrade his office, but even to result in the total overthrow of his Administration.[2] It so happened that about this time, while the Governor and Lieutenant-Governor were both at their country houses, Secretary Oliver, a man advanced in years, became the victim of an audacious outrage, on the mere suspicion, raised by an idle report, that he intended to resume his functions as stamp distributor. He was dragged to

[1] *Life of Sir Francis Bernard*, 'Letter of Governor Bernard to Grey Cooper, Esquire, dated 22 December, 1765.'

[2] Hutchinson, *Hist. Mass.*, ch. ii.

the 'Tree of Liberty' in the custody, it may be said, of Mackenzie, the head of the gang which had destroyed the Chief Justice's house, and there forced to take an oath before a justice of the peace, who was also a lawyer, that he would never distribute stamps nor commission any subordinate officer to do so. This insult saved the Governor the necessity for deliberation on his own course of action.

'His answer was that it was impossible; that he had no real authority in the place, but was left totally in the hands of the people.'[1] So writes his son, who continues:

He could not, however, help adding, '*Although I have never received any orders concerning the Stamp Act until this day, nor even a copy of the Act,* I have thought it my duty to do all I could to get it carried into execution. And I must say that in so doing I have exerted all possible spirit and perseverance. What has passed between me and the Assembly will appear from the enclosed printed copies; I have made great sacrifices to his Majesty's service upon this occasion. My administration, which was before easy, respectable, and popular, is rendered troublesome, difficult, and dangerous, and yet there is no pretext to charge me with any other offence than endeavouring to get the Stamp Act carried into execution; but that is here an high crime never to be forgiven. I have preserved from the destruction with which they were threatened the stamps which have hitherto arrived. In the course of this business I have found it necessary to put the Castle in a posture of defence, as if a foreign enemy had been expected. And now the people acquiesce in the stamps being lodged there only upon assurance that they shall not be distributed from thence. If an attempt to do it were apprehended the whole country would be in arms.

Mr. Bernard did not overestimate the strength of popular feeling on this subject; the struggle to which the Stamp Act had given rise was carried on with little intermission.

The law was in many places in the colonies set at defiance and evaded. Men had recourse to arbitration in the settlement

[1] *Life of Sir Francis Bernard*, 'Letter from Governor Bernard to Grey Cooper, Esquire, dated 22nd December, 1765.' The italics in this passage are my own.

of disputes. Ships entered and cleared, and other business was done in contempt of the Statute. Newspapers were published with a death's-head in the place where the law required a stamp.[1]

Such is Hosmer's account of the situation. Thomas Bernard says that

The officers of the Customs first felt the necessity of proceeding in their official papers without stamps, and submitted to give qualified clearances, divested of the odious mark of the new duty. The next object of the popular party was to compel the judges and magistrates to do their business without stamps. For this purpose a meeting of the town of Boston was called, and a petition was agreed to be presented to the Governor and Council, praying that they would give orders that the courts should be opened; the prayer of the petition was rejected, and, at a subsequent town meeting, the rejection voted unsatisfactory; but the object of the application was effectively obtained in the town of Boston, by the judges yielding to the power of the people and opening the courts there, without waiting for the order of the Governor and Council to sanction the proceeding.[2]

This petition had been drawn up by Samuel Adams. The petitioners prayed that the point might be argued by counsel, and chose Gridley, Otis and John Adams for that purpose; by them the petition was presented. Of this memorial Bancroft writes: '"Many of the arguments," said Bernard in reply, "are very good ones to be used before the judges, but there is no precedent for the interference of the Governor and Council. In England the judges would scorn directions from the King on points of law."'[3] It is, however, not at all probable that the Governor used such a word as 'scorn' in this place. But to return to Thomas Bernard's narrative:

In the Assembly which met in January 1766 the Governor found that there had been only too much foundation for his

[1] Hosmer, *Samuel Adams*, ch. v., 'Parliamentary Representation and the Massachusetts Resolves.'

[2] *Life of Sir Francis Bernard.*

[3] Bancroft, *Hist. U.S.*, Epoch ii. ch. xiii.; see also *Life of John Adams* by his Son, ch. ii., and Hutchinson, *Hist. Mass.*, ch. ii.

apprehension that he should altogether lose the weight which his popularity had hitherto given him. The House of Representatives appointed a Committee of Grievances,[1] on the precedent of the last session of Charles I., and prepared a remonstrance to the Governor to compel him, in direct opposition to the authority of an Act of Parliament, to order the Courts of Justice in the country to proceed without stamps. Their language to the Governor bore very little resemblance to that of the former addresses. 'The Custom Houses are now open, and the people are permitted to do their own business; the Courts of Justice must be open—open immediately; and the law, the great rule of right, in every county in the province, executed. The stopping the Courts of Justice is a grievance which this House must enquire into; justice must be fully administered throughout the province.'

The Boston town judges had succumbed to popular pressure; ere long the judges of the inferior courts[2] did likewise; and also the Judges of Probate everywhere except in Suffolk, in which county Boston was situated. Mr. Hutchinson, both as Judge of Probate and head of the Superior Court, was resolute in setting an example of obedience to the Act of Parliament; but in the Superior Court he was soon placed in a minority, which rendered his determination practically useless, while in the Court of Probate he was exposed to repeated insult. He applied to the Governor for leave to go to England and tell his own tale, and this plan furnished Mr. Bernard with an excuse for granting him a deputy to carry on the business of a court which he could no longer enter in safety.

'The Stamp Act is become in itself a matter of indifference; it is swallowed up in the importance of the effects of which it has been the cause,'[3] wrote the Governor at the end of February. Yet he was able to state that 'the Assembly is now broke up in tolerable good humour.' This good humour, no doubt, proceeded mainly from the belief that it had gained the upper hand; but the temporary lull

[1] Thomas Bernard, in the biography of his father, gives as his authority for this statement the *Journals of Massachusetts Bay*, 16 Jan., 1766.

[2] *Diary of John Adams, Second President of the United States of America.*

[3] *Select Letters*, 'Letter XI. to —— ——, Esquire, Boston February 28, 1766.'

suggested to Mr. Bernard the possibility of going to England himself to explain the situation, leaving Mr. Hutchinson, who resigned his office in the Court of Probate, at the head of affairs.

In the letter just quoted Governor Bernard says, 'I have well studied the subject, with close and interesting attention for near six years,' meaning the position of the American colonies. And further on he states:

> I have neither business nor pleasure to call me to England; but I am desirous of being as serviceable as possible at this critical and dangerous time; and I persuade myself (perhaps not without self-flattery) that I should be most so in the quality of a reporter of the present state of this country. I have studied the policy of America on the spot for near eight years; and have long foreseen that a dispute concerning the nature of its subjection must necessarily happen some time or other, if not prevented by particular measures for that purpose. Indeed, I did not expect it would have been brought on so soon by many years: but perhaps it is happy for Great Britain that it has been thus accelerated.

Towards the end of April Boston was delighted by the news of the repeal of the Stamp Act.[1] The first information was probably unofficial, since Hosmer gives May 16 as the date when '*The Harrison*, a brigantine, six weeks out from England, cast anchor in the inner harbour,'[2] evidently with tidings which placed the matter beyond doubt. And the rejoicings seem to have followed immediately. The same writer, after noting that Parliament in the Declaratory Act had reserved its right to tax America, continues:

> The people in general, nevertheless, noticed only the repeal, and were transported with joy. Salutes were fired from the different batteries; the shipping was dressed with flags; the streets were full of music. At night Liberty Tree was hung with lanterns, transparencies were shown, fireworks were displayed on the Common, and high and low feasted and revelled. John Hancock, a rich young merchant twenty-nine years of age, lately come into a great fortune by the death of his uncle, Thomas Hancock,

[1] *Life of Sir Francis Bernard.*

[2] Hosmer, *Samuel Adams*, ch. vii., 'The True Sentiments of America.'

particularly signalised himself by his liberality. Before his handsome mansion opposite the Common a pipe of Madeira was distributed to the people. His house and those of other grandees near were full of the finer world, while the multitude were out under the trees, just leafing out for the spring. One is glad to record that for once poor Bernard cordially sympathised with the popular feeling. He and his Council had a congratulatory meeting in the afternoon, and in the evening walked graciously about among the people—a brief harmonious interlude, with discord before and triple discord to come in the near future.

'Letters from England, which were published at the same time,' writes Hutchinson,

allowed that Governor Bernard's letters to the Ministry, and the petition from the Council and House in 1764, which had been drawn by the Lieutenant-Governor, forwarded the repeal. But they had no merit with the prevailing party, because they solicited the repeal as a matter of favour, and not as a claim of right.[1]

In fact the situation remained nearly as anxious as before to Governor Bernard. The elections were close at hand, and the leaders of the so-called patriotic party were working with desperate energy to dispel the soothing effects of the repeal by representing it as a hard-won triumph, to be followed by other triumphs if the people remained true to the cause of liberty.

One consolation was, indeed, at this time afforded to the Governor by the knowledge that his conduct had met with great commendation in England; or, as Bancroft expresses it, 'Bernard was elated at having been praised in the House of Lords by Camden for one set of his opinions, and quoted as an oracle in the Bedford protest for the other'[2]—held up to admiration, that is, by persons of conflicting views. The thirty-three peers, headed by the Duke of Bedford, who signed the protest[3] against the repeal of the Stamp Act as

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] Bancroft, *Hist. U.S.*, Epoch ii. ch. xvii.

[3] Belsham, *Memoirs of the Reign of George III.*, vol. i., Appendix, 'Protest against the Repeal of the Stamp Act, A.D. 1766.' The 'Protest' is an interesting document, but it is long, and further extracts are unnecessary in this place.

an injudicious concession to a rebellious people, maintained, that 'such a strange and unheard of submission of King, Lords, and Commons to a successful insurrection of the Colonies would make the authority of Great Britain contemptible.'[1] Lord Camden had described Mr. Bernard as a 'great, good, and sensible man, who had done his duty like a friend to his country.'

Mr. Welbore Ellis,[2] late Secretary of War, and then Vice-Treasurer of Ireland, an opponent of the repeal, and therefore not altogether in unison with the Governor's views on American affairs, wrote to him:

> You have acquitted yourself in a most difficult and dangerous crisis with great ability, judgment, and firmness; for which you have the united applause of your country. You must have heard that all the papers relating to America were laid before both Houses; and I can without flattery assure you I have not known an instance of more general approbation than that which your letters, your speeches, and your whole conduct received.[3]

The official letter from General Conway, Secretary of State, is also remarkable for the warmth of its expressions in praise of the Governor's conduct; it will be quoted in connection with the proceedings consequent on the meeting of the General Assembly.

The new House of Representatives for 1766 met, like its predecessors, on the last Wednesday in May. Its composition revealed the progress of revolutionary ideas. James Otis was its chosen Speaker, Samuel Adams its Clerk, an office which allowed the holder to take a share in the debates like any other member, and with additional influence. The Governor objected to the appointment of Otis; and certainly no man could be more opposed to the English ideal of a 'Speaker of the House of Commons.' He consented that

[1] Bancroft, *Hist. U.S.*, Epoch ii. ch. xvi.

[2] Debrett, *Peerage of the United Kingdom*, vol. i., 'Clifden (Viscount).' See also Burke. Mr. Ellis was created Baron Mendip of Mendip, Somerset, in 1794, with remainder, in default of issue, to the issue male of his sister, Viscountess Clifden.

[3] *Life of Sir Francis Bernard*, 'Letter from Welbore Ellis, Esquire, dated 16th of May, 1766.'

the post should be held by Thomas Cushing, a popular member of comparatively moderate views.[1] In the afternoon of the first day of session the House, as usual, elected the Council, but in a manner by no means in accordance with custom. It excluded Hutchinson, the Lieutenant-Governor and Chief Justice, and Secretary Oliver, these being the two officials nominated by the Crown; also Judge Oliver and the Attorney-General. Judge Lynde had retired from the contest the day before, in anticipation of a similar insult.

As already stated, the functionaries now excluded, and their predecessors in office, had long sat in the Council, it may be said as a matter of right, although the form of election was gone through every year: and the intention manifested by their exclusion was so flagrant that Governor Bernard felt justified in exercising his right of veto against six of the more violent men recently elected[2] to the Council. This was a provision made for emergencies, and the present occasion was an emergency. The Governor's right, indeed, extended to thirteen members. Even Bancroft observes of this measure, 'He had a right to do so,' and adds, 'the Legislature submitted without a murmur,' which is more questionable. All the councillors excluded by the popular party lost their elections by only three or four votes, except Secretary Oliver, who was still obnoxious as having been formerly nominated Stamp Distributor. The Lieutenant-Governor's failure was ultimately brought about by a curious complication in the mode of election.[3] It certainly seems as if a little more vigour exerted in good

[1] Hutchinson, *Diary and Letters*, vol. i. ch. iii.; *Hist. Mass.*, ch. ii.; *Life of Sir Francis Bernard*, by One of his Sons; Bancroft, *Hist. U.S.*, Epoch ii. ch. xvii.; Hosmer, *Samuel Adams*, ch. vii., 'The True Sentiments of America.'

[2] Tudor (*Life of James Otis*) says that the persons negatived by the Governor were Col. Otis, Gerrish, Saunders, Bowers, Sparhawk, and Dexter.

[3] Hutchinson, *Hist. Mass.*, ch. ii. 'The Lieutenant-Governor had several votes more than a majority of the two Houses, and lost his election by an unusual accident. In voting for eighteen in one list, nineteen had the majority of the whole voters, and when this happened it had been the custom for those who had the highest number to be declared, and any of a less number than they to be rejected.'

time on the side of the loyalists might have turned the scale.

Thomas Bernard believes that by this exercise of the veto —repeated as it was on subsequent occasions—his father postponed the defection of the Council for nearly three years. Whenever 'the citadel of government,' as Francis Bernard was wont to style the Council Board, fell into revolutionary hands, the post of Governor must become untenable. This is what eventually happened; the Governor's resolute conduct only protracted the struggle.

He suffered in this contest. He was deprived of his staunchest allies and advisers, and especially hampered by the exclusion of the Lieutenant-Governor, who ought to have been cognisant of every wave of debate, since he might at any moment have to preside over the Council in consequence of the death, retirement, or temporary absence of the Governor. Mr. Bernard therefore insisted on keeping Mr. Hutchinson in the room during the meetings of the Board, even though he could not take part in the discussions. Meanwhile Bowdoin, one of the newly elected councillors, became Chairman of Committees in his stead, and worked for the benefit of the popular party in the House. This position was sufficiently humiliating for both Bernard and Hutchinson; nevertheless, the Opposition regarded the Lieutenant-Governor's presence in the Council-room with indignation, as an affront to its own supremacy.

Samuel Adams is described by Hosmer as the real leader of the Opposition in the House of Representatives. By his influence he had introduced several new members, and he had subjugated many. Thomas Cushing, the Speaker—son of a merchant in whose house Adams had been for a short time—was, according to the same writer, 'an honourable but not especially significant man among the patriots, who, through the fact that he was figure-head of the House, was sometimes credited in England and among the other colonists with an importance which he never really possessed.'

At this period, it is evident that the views of the Governor and Lieutenant-Governor often diverged. This is not surprising, as the one had been reared and had lived till within the last few years in England, while the other had not spent more than a period of some months out of America.

Hutchinson says[1] that some of the Council thought it unadvisable to challenge the election of James Otis to the Speakership, and he was apparently one of those who opposed the measure, to which he attributed the determination of the popular party to exclude the officials from the new Council. The temperament of Otis, however, rendered it hopeless to expect from him that impartiality which should be the distinguishing mark of a 'Speaker.' Indeed, such was his state of mind that some unseemly outburst might at any moment be anticipated, even against the Crown and Government of England, which would lead to great embarrassment and mischief.

Dr. Gordon, an admirer of the American nationalists, notes the previous conduct of Otis to Oxenbridge Thacher. 'The deceased belonged to the band of patriots; but when he happened to think differently from Mr. Otis, Junr. in the House of Assembly, the latter treated him in so overbearing and indecent a manner that he was obliged at times to call upon the Speaker to interpose and protect him.' The same writer attributes the subsequent troubles of Mr. Otis to 'the strength of his passions and a failure in the point of temperance.'[2]

Of Mr. Bernard's rejection of the six councillors the Lieutenant-Governor writes:

> Governors, to avoid giving offence, had, from disuse, almost lost their right of negativing the Council. The House had kept up their right by constant use, though never by making so great a change at once, except in one instance, at the time of the Land-bank. He had now made a very proper use of his authority, and

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] Gordon (William, D.D.), *History of the Rise, Progress and Establishment of the Independence of the United States of America*, Letter IV.

had furnished a good precedent for future use. But he did not stop here.

Mr. Bernard, indeed, blamed the conduct of those who had excluded the functionaries 'as being an attack on Government in form, with a professed intention to deprive it of its best and most able servants, whose only crime was their fidelity to the Crown.' This Mr. Hutchinson considered to be giving the House an advantage. Its answer was certainly couched in insulting terms, which might be accounted for by the feeling that its members had received a check through having the real drift of their measures publicly exposed. In return they vindicated their own conduct, and, alluding to the Governor's expressions,

they enquired 'what oppugnation they had been guilty of; they had given their suffrages according to the dictates of their consciences and the best light of their understandings; they had a right to choose, and he had a right to disapprove without assigning any reason; he had thought fit to disapprove of some; they were far from suggesting that the country had by that means been deprived of the best and ablest of its servants.' They say, with a sneer, they had released the judges from the cares and perplexities of politicks, and given them opportunity to make still further advances in the knowledge of the law; they had left other gentlemen more at leisure to discharge the duties and functions of their important offices; this surely was not to deprive the Government of its best and ablest servants, nor could it be called the oppugnation of anything but of a dangerous union of legislative and executive powers in the same persons.[1]

The sarcasm was, of course, intended for Mr. Hutchinson, Lieutenant-Governor and Chief Justice.

A day or two after the Governor's speech he received a letter from General the Hon. Henry Conway, Secretary of State, which he laid before the House, adding some observations of his own. The Secretary's letter is as follows:

Sir,—Herewith I have the pleasure of transmitting to you the copy of the two Acts of Parliament just passed; the first, for securing the just dependency of the Colonies on the Mother

[1] Hutchinson, *Hist. of Mass.* ch. ii.

country the second, or the repeal of the act of the last Session granting certain stamp duties in America.

He adds that a third act of indemnity will probably soon be made known in the colony, and continues:

The moderation, the forbearance, the unexampled lenity and tenderness of Parliament towards the colonies, which are so signally displayed in those acts, cannot but dispose the province committed to your care to the return of cheerful obedience to the laws and legislative authority of Great Britain, and to those sentiments of respectful gratitude to the Mother Country which are the natural, and, I trust, will be the certain effects of much grace and condescension, so remarkably manifested in the part of his Majesty and of the Parliament. You would think it scarce possible, I imagine, that the paternal care of his Majesty for his colonies, or the lenity and indulgence of the Parliament, should go further than I have already mentioned: yet so full of true magnanimity are the sentiments of both, and so free from the smallest colour of passion or prejudice, that they seem not only disposed to forgive, but to forget those most unfeasible marks of an undutiful disposition, too frequent in the late transactions of the colonies, and which, for the honour of these colonies, it were to be wished, had been more discountenanced and discouraged by those who had knowledge to conduct themselves otherwise. . . .

Nothing will tend more effectually to every conciliating purpose, and there is nothing, therefore, I have in command more earnestly to require of you, than that you should exert yourself earnestly in recommending it strongly to the Assembly that full and ample compensation be made to those who, from the madness of the people, have suffered for their deference to the Act of the British Legislature. And you will be particularly attentive that such persons be effectually secured from any further insult, and that, as far as in you lies, you will take care, by your example and influence, that they may be treated with that respect to their persons, and that justice and regard to all their pretensions, which their merits and sufferings undoubtedly claim. . . . I must mention the one circumstance in particular that should recommend those unhappy people whom the outrage of the populace has driven from America to the affection of all that country;

[1] Pelham, *Memoirs of the Reign of George III.*, vol. ii., Appendix, 'Letter from Mr. Secretary Conway to Francis Bernard, Esqre., Governor of the Province of Massachusetts Bay, A.D. 1766.'

which is, that unprovoked by the injuries they had suffered to a forgetfulness of what they owed to truth and their country, they gave their testimonies with knowledge, but without passion or prejudice; and those testimonies had, I believe, great weight in persuading the repeal of the Stamp Act.

I have only to add, which I do with great pleasure, that every part of your conduct has had the entire and hearty approbation of your Sovereign; and that the judicious representations in favour of your province, which appear in your letters, laid before both Houses of Parliament, seem to have their full weight in all those parts of the American interests to which they relate. And as his Majesty honours you with his fullest approbation both for the firmness and temperance of your conduct, so I hope your province will cordially feel what they owe to the Governor, whom no outrage could provoke to resentment, nor any insult induce to relax in his endeavours to persuade his Majesty to show his indulgence and favour even to the offending part of his people.[1]

Belsham, an English writer partial to the Americans, has commented with severity on the speech with which Governor Bernard followed up the reading of this letter, and of which Mr. Hutchinson[2] states that it was 'much more animated than the first.' The increased irritation, which the Whigs of Boston displayed, probably began, however, before the delivery of that speech, upon the perusal of Secretary Conway's letter; for, although Belsham describes it and the Secretary's other letters as 'wise, firm, and temperate, breathing the genuine spirit of conciliation,' the despatch just quoted strongly upholds the prerogative, condemns the conduct not only of the rioters, but even of the Legislature, and lauds the behaviour of the Governor. Moreover, Belsham ignores the fact that between the date of General Conway's letters, written in London, and the delivery of both the Governor's speeches, an insult had been inflicted on his office, and indeed on the King of England, by the exclusion of the royal functionaries from the Council, which accounts for some warmth in their

[1] Belsham, *Memoirs of the Reign of George III.*, vol. ii., Appendix.

[2] Hutchinson does not give the Governor's speech on the day of opening, or the reply to it.

expressions, a warmth not unnaturally increased by the sarcasm of the Representatives' first answer and the encouragement derived from the Secretary of State's letter.

After some preliminary remarks on General Conway's language and sentiments, Mr. Bernard continued:

I cannot but lament that this letter did not arrive before the meeting of the General Court. If it had, I flatter myself it would have prevented a transaction which must now be more regretted than ever. I mean your excluding from the King's Council the principal Crown officers, men not only respectable in themselves, for their integrity, their abilities, and their fidelity to their country, as well as to the King, but also quite necessary to the administration of government in the very station from which you have displaced them. By this you have anticipated the expectations of the King and Parliament, and disappointed them before they have been communicated to you. It is not now in your power, in so full a manner as will be expected, to shew your respectful gratitude to the Mother Country, or to make a dutiful and affectionate return to the indulgence of the King and Parliament. It must and will be understood that these gentlemen are turned out for their deference to Acts of the British Legislature. Whilst this proceeding has its full effect, you will not, you cannot, avoid being chargeable with unthankfulness and dissatisfaction on ground of former heat and prevailing prejudice.

It is impossible to give any tolerable colouring to this proceeding; if it should be justified by asserting a right, that is, a legal power to choose whom you please without regard to any consideration whatsoever, the justification itself will tend to impeach the right. But if your right is ever so absolute, the distinction between a right and the propriety of exercising it is very obvious; as this distinction has lately been used with great effect to your own interest. Next to wishing that this had never happened, it is to be wished that some measures might be found to draw a veil over it, or at least to palliate it, and prevent its bad effects; which surely must be very hurtful to this province, if it should be maintained and vindicated. If any expedients can be found out for this purpose, I will heartily concur in them; and in general I will make the best use of all means which you shall put into my hands to save the credit of the province upon this unhappy emergency; and I will set off, to the best advantage I can, all other methods which you shall take to demonstrate those senti-

ments which are expected from you, in the most effectual manner.[1]

It is evident that the Governor at this moment had been led to rely on the intention of the British Government to treat its refractory colonies with severity, and that he was anxious to save his province from possible punishment. But so shifty and unstable a concern was British administration in that day, that it soon seemed as if the disaffected party was the favourite with authorities in England. To return, however, to Governor Bernard's speech. He addressed the House of Representatives, as desired in the Secretary's letter, on the subject of compensation to the sufferers in the riots; after which, appealing to the whole Assembly, he said:

Gentlemen,—Both the business and the time are most critical; and let me entreat you to recollect yourselves, and consider well what you are about. When the fate of the province is put in a scale which is to rise or fall according to your present conduct, will you suffer yourselves to be influenced by party animosities or domestic feuds? Shall this fine country be ruined, because every person in the Government has not been gratified with honours or offices according to the full of his pretensions? Shall the private interests, passions, or resentments of a few men, deprive this whole people of the great and manifold advantages which the favour or indulgence of their Sovereign and his Parliament are even now providing for them? There never was at any time whatsoever so fair a prospect of the improvement of the peace and welfare of this province as is now opening to you. Will you suffer this pleasant view to be intercepted or overclouded by the ill-humours of particulars? When wealth and happiness are held out to you, will you refuse to accept of them? Surely after his Majesty's commands are known, and the terms in which they are signified well considered, the very persons who have created the prejudices and prepossessions which I now endeavour to combat will be the first to remove them and prevent their ill effects.

After further exhortations to the late offenders to deserve and avail themselves of the proffered indemnity, and to

[1] Belsham, *Memoirs of the Reign of George III.*, vol. ii., Appendix, 'Speech of Governor Bernard to the General Assembly of Massachusetts Bay, June 3, 1766.'

behave as loyal and peaceable subjects for the future, the Governor concluded with a passage which is not without its touch of pathos:

I have spoke to you with sincerity, openness, and earnestness, such as the importance of the subject deserves. When the fate of the province seems to hang upon the result of your present deliberations, my anxiety for the event, I hope, will make my warmth excusable. If I have let drop any word which may seem severe or unkind, let the cause I am engaged in apologise for it; and where the intention is upright, judge of what I say not by detached words or syllables, but by its general purport and meaning. I have always been desirous of cultivating a good understanding with you, and when I recollect the former happy days, when I scarce ever met the General Court without giving and receiving testimonies of mutual approbation, I cannot but regret the interruption of that pleasant intercourse by the successful artifices of designing men, enemies to the country as well as to me. But now that my character for affection to the province and attention to its interests is confirmed by the most authentic testimonials, I hope that at the same time you renew your duty to the King you will resume a confidence in his representative.

In its answer to this fervent appeal the House of Representatives justified its late proceedings at considerable length,[1] assuring the Governor that if Conway's letter had arrived earlier it would have made no difference, lauded its own 'integrity and uprightness,' promised to consider the 'recommendation' to award compensation to the sufferers by the riots at the 'first convenient opportunity,' and after a flourish of loyalty proceeded:

With regard to the rest of your Excellency's speech, we are constrained to observe, that the general air and style of it savours much more of an act of free grace and pardon than of a parliamentary address to the two Houses of Assembly; and we most sincerely wish your Excellency had been pleased to reserve it, if needful, for a proclamation.

As Mr. Hutchinson, indeed, notes, 'They add, as a

[1] Belsham, *Memoirs of the Reign of George III.*, vol. ii., Appendix, 'Address of the House of Representatives of Massachusetts Bay to Governor Bernard, June 5, 1766.'

douceur, "that Mr. Secretary Conway, in his letter, had made such honourable mention of Governor Bernard's conduct, that they cannot conclude, without recognising his Excellency in the united character of a true friend to the province and a faithful servant to the Crown." '[1]

General Conway, who is styled by Hosmer 'a brave officer and admirable man, and well disposed to America,'[2] is praised even by Bancroft; yet he continued a good friend to Governor Bernard, whose son John was by his recommendation appointed Naval Officer to the Port of Boston,[3] and bore testimony to his merits at a later period.

The attitude of the Council seems, indeed, to have impressed Mr. Bernard more painfully than any utterances of the Representatives; he was 'surprised to find their address, notwithstanding it preserved decorum beyond that of the House, carrying stronger marks of a contrariety of sentiments to those he had discovered in his speech, and more fully vindicating the elections, than either of the answers from the House.' It is evident from the transactions of the House during the remainder of this session, that no attempt was made by the Council to check or control its ebullitions, however menacing.

> The House of Assembly [writes Thomas Bernard] took every opportunity of embarrassing and weakening Government. In the former session they had reduced the Secretary's salary; in this they diminished the establishment of Castle William, rendered odious by the protection which it had given to the stamped papers; and reduced the garrison of Fort Pownall at Penobscot to so small a number as would have made it an easy prey to the Indians of the eastern country.[4]

At the same time the agitators were busy inflaming the minds of the people against the Governor.

> Bernard's speeches [writes Bancroft] fell on the ear of Samuel Adams as not less 'infamous and irritating' than the worst 'that

[1] Hutchinson, *Hist. Mass.*, ch. ii.
[2] Hosmer, *Samuel Adams*, ch. vi. 'The Stamp Act before England.'
[3] *Life of Sir Francis Bernard.* Note to p. 96. [4] *Ibid.*

ever came from a Stuart to the English Parliament'; and, with sombre joy, he called the province happy in having for its Governor one who left the people no option but between perpetual watchfulness and total ruin.[1]

Mr. Hutchinson says:

The publications, in the newspapers, against the Governor were abusive and licentious to a great degree. Attempts were made to destroy his character by false and groundless charges, which easily obtain credit with the people when brought against a Governor. At length, a very sensible and fair writer, under the signature of Philanthropos, undertook his vindication, and, in a series of papers much attended to, refuted the calumnies against him and silenced his calumniators.[2]

This writer was Jonathan Sewall, afterwards Attorney-General.

After great perturbations for two years and a half, with little interruption, there was a short space of tranquillity. Besides the repeal of the Stamp Act, the duty on molasses had been reduced from threepence to one penny per gallon.[3]

This stormy session came to an end at last; but, just as the weary Governor was beginning to appreciate the time of comparative repose, a new occasion of trouble presented itself, or rather a most unpolitical incident was seized upon as capital by the Opposition, and transformed into an occasion of offence.

In December 1766 [says Hosmer], soon after the adjournment of the Legislature, a vessel having on board two companies of Royal Artillery was driven by stress of weather into Boston Harbour. The Governor, by advice of the Council, directed that provision should be made for them at the expense of the province, following the precedent established shortly before, when a company had been organised, to be paid by the province, but without the consent of the Representatives, for the protection of the stamps at the Castle. In the case in hand humanity demanded that the soldiers should be received and provided for; a principle, however, was again violated in a way which sharp-eyed patriots could not

[1] Bancroft, *Hist. U.S.*, Epoch ii. ch. xvii.
[2] Hutchinson, *Hist. Mass.*, ch. ii. [3] *Ibid.*

overlook. Here resistance was made, as in the previous case, and we find now the beginnings of a matter which developed into great importance.[1]

The plain fact is that the Governor and Council were proceeding to provide for the soldiers according to the provisions of the Mutiny or Billeting Act, the only Act which appeared at all applicable to the circumstances.[2] But as that Act had been passed in the same session as the Stamp Act, it was obnoxious, and there was a pretext for asserting that the British Parliament had exceeded its powers in the one case as much as the other by thus legislating for the colonies. The opportunity was, of course, eagerly grasped, and every hindrance thrown in the way of feeding these destitute soldiers and sheltering them from the inclemency of a Boston winter. The Governor's arrangements were censured by the House of Representatives in February 1767, and the Mutiny Act stigmatised as tyrannical and unjustifiable. But after the Governor had been worried by this protest, the matter was allowed to drop, and the soldiers remained undisturbed in the quarters which had been provided for them.

This ebullition would probably not have occurred in Massachusetts but for the insubordination of the Legislature in a neighbouring colony, whose example was contagious.

The first instance of a refusal to submit to the authority of Parliament [writes Mr. Hutchinson] that took place after the repeal of the Stamp Act was in the province of New York. By an Act of Parliament the Assemblies in the colonies were required to make provision for quartering the King's troops. The Assembly of New York made provision in part only. Sir Henry Moore, the Governor, consented to the Act and gave this reason, that the articles not provided by the Assembly were only such as were not provided for troops in barracks in England. This was not thought a sufficient reason, and the Assembly was informed by a letter

[1] Hosmer, *Samuel Adams*, ch. vii., 'The True Sentiments of America.'

[2] Particulars of these transactions are to be found in Hutchinson, Bancroft, &c.

from Lord Shelburne, then Secretary of State, to the Governor that the King expected a due and cheerful obedience to the Act in the full extent and meaning of it. The Assembly resolved not to comply, and in their answer to the Governor's speech to them called in question the authority of Parliament. The Parliament thereupon passed an Act to suspend the legislative power of the Assembly of New York, so long as the Act of Parliament for quartering troops shall remain not complied with.[1]

When this altercation became known in Massachusetts, the Whigs began their attack, and Mr. Hutchinson considered that Governor Bernard made a mistake at the outset in alluding to the Mutiny Act, instead of taking his stand on provincial law and custom, as shown by various precedents. This would, however, have been only a subterfuge, easily detected, and likely to embolden the agitators. The same writer adds:

> These proceedings of the two Assemblies, of New York and Massachusetts, were disapproved of by some of their best friends in England, and even by some of their chief advocates in America, as tending unnecessarily to revive that flame, which, it was to be wished, might have been suffered to expire. . . . It was rumoured, that it had been at first designed to suspend the legislative power of Massachusetts Bay in like manner with that of New York; but as the offence of the former consisted in words only, the same provision for the troops which the Mutiny Act required having been made in another way, the design was laid aside.

Apparently it must have been at the opening of this winter session that Governor Bernard had desired his Lieutenant-Governor to drive with him in his coach to the State House;

and after the Governor had delivered his speech they left the Council together. In the speech the Governor had recommended 'the support of the authority of Government and the maintenance of the honour of the province.' The House in their answer to the speech noted the Lieutenant-Governor's appearance in Council, and remarked that 'if the honourable gentleman was introduced by your Excellency, we apprehend that the happiest means of supporting the authority of the Government, or maintaining the

[1] Hutchinson, *Hist. Mass.*, ch. ii.

honour of the province, were not consulted therein. But if he came and took a seat of his own motion, we are constrained to say that it affords a new and additional instance of ambition and a lust of power to what we have hitherto observed.' [1]

This insult originated with Joseph Hawley, one of the popular leaders.

Two other episodes of this memorable year 1766 deserve attention.[2] At the meeting of the Legislature in May the representatives of the people were, it is said, instructed to advocate the total abolition of slavery. This sudden animosity to an institution hitherto tolerated by all and admired by many was probably designed to embarrass the Governor, who had no power to deal with any such resolution, and was likely to produce unrest amongst the coloured population. But it was dropped for the moment as impracticable.

The year was also noticeable for the appearance of a body of Acadians in Boston.[3] Soon after the peace, there had been a rush of these exiles to their old home from various parts of the provinces to which they had been deported. Most of these, however, settled in Canada. Some, who had been unable to join their fellow-sufferers at that time, arranged to meet in Boston in the spring of 1766, and from there wended their way through Maine, '"on foot and almost without provisions . . . . across six hundred miles of forests and uninhabited mountains."' [4] Some women gave birth to children on the way, many persons succumbed to their hardships, and the band of exiles arrived at the goals of all their hopes only to find their lands in the possession of others, and even the old names effaced.

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] Williams (George W.), *History of the Negro Race in America*, ch. xiv.

[3] Richard (Edouard), *Missing Links of a Lost Chapter in American History*, vol. ii. ch. xlii.

[4] Richard quotes from Rameau de St. Père, *Une Colonie Féodale*, vol. ii. Some members of the d'Entremont family were in Boston in 1765, and sailed to Halifax. They were exceptionally fortunate in recovering their Acadian property.

I do not find any mention of Governor Bernard in connection with these unhappy wanderers, for whose sad case it has been shown that he felt much compassion. What he may have done as a private gentleman is not on record; it can have been but little towards alleviating the sufferings of eight hundred persons, even if his example induced some friends to help. As a public man his hands were tied. Had the Boston 'Sons of Liberty' combined to succour these victims of oppression, instead of clamouring about their own infinitely smaller grievances, they would surely appear in a more amiable light to posterity.

CHAPTER XVIII

THE POLITICAL LEADERS

Samuel Adams—The Origin of 'Caucus'—Hutchinson's Genius for Finance—Joseph Hawley—John Adams—The 'Caucus Club'—John Hancock—Jonathan Sewall—Timothy Ruggles—Dismay of the Loyalists at the Weakness of the British Government—Constant Changes of Ministry—Governor Bernard's Relations with the Secretaries of State—Publication of his Confidential Despatches.

THERE is one man who has already been often mentioned in these pages as a popular leader, but as yet without further attempt to make it clear what manner of man he was who thus became such an important factor in the commencement and progress of the revolution. The attentive reader must naturally ask, Who was Samuel Adams? From what class did he spring? How did he acquire the influence with which he is credited? He was not one of those showy characters whose deeds history delights to blazon, yet Hosmer boldly asserts that he deserved the surname of 'Father of America'[1] better than Washington, who, indeed, was not heard of as a patriot till some years later. A sketch of Adams's early career, accompanied by notices of his principal followers, some of whom have been better remembered in Europe than himself, will answer the questions which have just been put.

Samuel Adams[2] was the son of another Samuel. They sprang from a family of settlers farming their own small extent of land; but the elder Samuel took to town life,

[1] Hosmer, *Samuel Adams*, ch. xxi., 'Character and Service of Samuel Adams.'

[2] *Ibid.* i., 'The Youth and his Surroundings,' from which this account of Adams is taken when not otherwise stated.

bought a mansion in Purchase Street, with grounds, and filled various posts—

justice of the peace, deacon of the Old South Church—then an office of dignity—selectman, one of the important committee of the town to instruct the Representatives to the Assembly, and at length entered the Assembly itself. His son called him 'a wise man and a good man.' He was everywhere a leader. In 1715, largely through his influence, the 'New South' religious society was established in Sumner Street. About the year 1724, with a score or so of others, generally from the North End, where the shipyards especially lay, he was prominent in a club designed 'to lay plans for introducing certain persons into places of trust and power.' It was known as the 'Caulkers' Club'; hence, probably, one of the best-known terms in political nomenclature.

In other words, 'Caulkers' became 'Caucus.'

As a representative he signalised himself by opposition to that combative old veteran from the wars of Marlborough, Shute, in whose incumbency the chronic quarrel between Governor and Legislature grew very sharp. The tastes and abilities, indeed, which made the son afterwards so famous, are also plain in the father, only appearing in the son in a more marked degree, and in a time more favourable to their exhibition.

No man, in truth, more clearly inherited most of his tendencies than the younger Samuel Adams. Born in 1722,

he received the degree of A.B. in 1740, and when, three years after, he became Master of Arts, the thesis which he presented showed plainly what was his true bent. 'Whether it be Lawful to Resist the Supreme Magistrate, if the Commonwealth cannot otherwise be Preserved,' was his subject, which he proceeded to discuss in the presence not only of the College dignitaries, but of the new Governor, Shirley, and the Crown officials.

Young Adams was intended to be a minister, but in course of time he relinquished the idea and began to study law. A little later he

entered the counting-house of Thomas Cushing, a prominent merchant, with whose son of the same name he was destined to be closely connected through many years of public service. For

business, however, he had neither taste nor tact. The competition of trade was repulsive to him; his desire for gain was of the slightest. Leaving Mr. Cushing after a few months, he received from his father 1,000*l.* with which to begin business for himself. Half of this he lent to a friend who never repaid it, and the other half he soon lost in his own operations. Thriftless though he seemed, he began to be regarded as not unpromising, for there were certain directions in which his mind was wonderfully active. Father and son became partners in a malthouse situated on the estate in Purchase Street, and one can well understand how business must have suffered in the circumstances in which they were presently placed.

This was the stirring time of the siege of Louisburg, a famous episode in the Canadian war. The elder Adams, who had long been in embarrassed circumstances, figured as a prominent member of the Massachusetts Assembly, sitting on most military committees; he was proposed for the Council, but rejected by Shirley. 'The son, meantime, trusting himself more and more to the element for which he was born, figured prominently in the clubs, and wrote copiously for the newspapers.' As to the origin of the feud with Hutchinson Hosmer says nothing, but it was apparently connected with the question of paper currency and with the 'Land Bank Scheme,' in which the elder Adams was conspicuous, and which his son's biographer euphemistically styles 'a device perhaps not the wisest.' The administration of Governor Belcher was, according to Ellis, agitated by a continuous financial controversy. The pecuniary affairs of the province were in a most distracted condition and the Treasury was long wholly empty, public creditors in vain demanding their pay. The point in contention concerned the issue of bills to be current longer than the date limited by the King, for 1741. But Boston merchants got round the King's order by a scheme of their own. A Land Bank Company was organised, though opposed by the Governor, amid threats of popular disturbance. An Act of Parliament which, it was declared, 'does and shall extend to the Colonies and Plantations,' dissolved the Company.[1]

[1] Ellis, 'The Royal Governors of Massachusetts' (Winsor, *Mem. Hist. Boston*, vol. ii. ch. ii.).

At this time, towards the end of 1740, Mr. Hutchinson went to London, where he remained several months, and consulted Sir John Barnard on the subject of redeeming, and thus abolishing, the paper money of Massachusetts. It is now, I believe, generally admitted that the future statesman had a genius for questions of finance. John Adams, a cousin of the two Samuels, said of him so late as 1809, when he was himself a very great man:

> If I was the Witch of Endor I would wake the ghost of Hutchinson and give him absolute power over the currency of the United States and every part of it, provided always that he should meddle with nothing but the currency. As little as I revere his memory, I will acknowledge that he understood the subject of coin and commerce better than any man I ever knew in this country.[1]

To return to the history of young Samuel Adams.[2] The malthouse, which had not prospered in the lifetime of his father, collapsed altogether after the old man's decease, and the son, living in a dilapidated building which he had no money to repair, became more and more revolutionary. The little that remained to him was near being sold by auction, for the more speedy finishing of the Land Bank Scheme; but Samuel Adams confronted and frightened the Sheriff, and an Act was passed somewhat later 'liberating the directors from personal liability.'

This is Hosmer's report, and he does not appear to think that it detracts from the character of his hero. Mr. Hutchinson gives substantially the same account:

> Mr. S. Adams's father had been one of the directors of the Land Bank in 1741, which was dissolved by an Act of Parliament. After his decease his estate was put up to sale by publick auction, under authority of an Act of the General Assembly. The son first made himself conspicuous on this occasion. He attended the sale, threatened the Sheriff to bring an action against him, and threatened all who should attempt to enter upon the estate, under

[1] Hosmer, *Samuel Adams*, ch. xvii., 'Hutchinson and the Tories.' See also *Diary of John Adams, Second President of the United States.*

[2] Hosmer, *Samuel Adams*, ch. iii., 'The Writs of Assistance.'

pretence of a purchase; and by intimidating both the Sheriff and those persons who intended to purchase he prevented the sale, kept the estate in his possession, and the debt to the Land Bank Company remained unsatisfied.

Adams seems to have justified his conduct by the fact that his father had been dead ten years when these proceedings were commenced against him, and that the scheme which led to them had been stopped some years before the event; it is clear, however, that Mr. Hutchinson did not see anything unusual in the circumstances; probably the Adamses, father and son, had been struggling all through the interval to avoid restitution, in spite of frequent admonitions.

Samuel Adams was then, in 1758, already an active citizen, serving in every office open to him, and becoming every year more popular with certain classes; although a second slur rests on his conduct during this portion of his career, which his biographer relates as follows:

> From 1750 to 1764 he was annually elected one of the tax collectors, and in connection with this office came the gravest suspicion of a serious moral dereliction which his enemies could ever lay to his charge. Embarrassments which weighed upon the people caused payments to be slow. The tax collectors fell into arrears, and it was at length entered upon the records that they were indebted to the town in the sum of 9,878*l*. The Tories persisted afterwards in making this deficiency a ground of accusation, and Hutchinson in the third volume of his History deliberately calls it a 'defalcation.' No candid investigator can feel otherwise than that to Samuel Adams's contemporaries any misappropriation of funds by him was an absurd supposition. Without stopping to inquire how it may have been with his fellow-collectors, it is quite certain that in his case a feeling of humanity, very likely an absence of business vigour, stood in the way of his efficiency in the position.

The writer further asserts that Adams's character has been completely cleared in a paper by A. C. Goodell, Esq., read before the Massachusetts Historical Society, but does not give particulars of the vindication. Mr. Hutchinson states

that Adams's defalcation 'caused an additional tax upon the inhabitants' of Boston, which throws some doubt on his 'humanity,' as he must have anticipated such a result.

On another point—veracity—Hosmer is less confident of exonerating his hero. He says: 'It must be confessed that some casuistry is necessary now and then to make the conduct of Samuel Adams here square with the absolute right.' And further on:

> One wonders if the Puritan conscience of Samuel Adams did not now and then feel a twinge when, at the very time in which he had devoted himself body and soul to breaking the link that bound America to England, he was coining for this or that body phrases full of reverence for the King and rejecting the thought of independence. The fact was, he could employ upon occasion a certain fox-like shrewdness, which did not always scrutinise the means over-narrowly, while he pushed on for the great end. Before our story is finished other instances of wily and devious management will come under our notice, which a proper plumb-line will prove not to be quite in the perpendicular. Bold, unselfish, unmistakably pious as he was, the Achilles of Independence was still held by the heel when he was dipped.[1]

The same words may be used in a degree of other prominent revolutionists—except, perhaps, Otis, whose mind seems to have really wavered. These, however, were the men who, it will be seen, constantly accused their Governor of treachery and duplicity because he did not on all occasions make them his confidants!

As a leader of the people Samuel Adams was a formidable rival to James Otis, and certain to supersede him in the long run. 'While Otis was fitful, vacillating and morbid, Samuel Adams was persistent, undeviating, and sanity itself.'[2] It was he who pushed forward in the political line his second-cousin, the young barrister, John Adams, who eventually attained higher position and wider fame than himself.

[1] Hosmer, *Samuel Adams*, ch. viii., 'The Arrival of the Troops.'

[2] *Ibid.* v., 'Parliamentary Representation and the Massachusetts Resolves.'

Gordon says of Samuel Adams, in whose disinterestedness he believes:

He was well qualified to second Mr. Otis, and learned in time to serve his own public views by the influence of the other. He was soon noticed by the House, chosen, and continued their clerk from year to year, by which means he had the custody of their papers, and of these he knew how to make an advantage for political purposes. He was frequently upon important committees, and acquired great ascendency, by discovering a readiness to acquiesce in the proposals and amendments of others, while the end aimed at by them did not eventually frustrate his leading designs. He showed a pliableness and complaisance in these smaller matters which enabled him, in the issue, to carry those of much greater consequence; and there were many favourite points which the Sons of Liberty in the Massachusetts meant to carry, even though the Stamp Act should be repealed.[1]

Other active politicians will be mentioned in the course of subsequent chapters, such as Josiah Quincy and Joseph Warren, who cannot be designated leaders, as they appear to have been generally followers of Samuel Adams. There was, however, one man who for a time divided the affections of the popular party, but was evidently of too sensitive and honest a nature to keep pace; the contest was unequal. That gentleman, Joseph Hawley, known as Major Hawley, was a native of Northampton, in Hampshire County, where he derived influence from the position of his maternal uncle, and also from his own talent, education, and status as a barrister.

He had a very fair character as a practitioner, and some instances have been mentioned of singular scrupulosity, and of his refusing and returning fees when they appeared to him greater than the cause deserved. He was strict in religious observances. Being upon his return home from a journey, the sun set upon a Saturday evening when he was within a few miles of his home. He remained where he was till the sun set the next day, and then finished his journey. He was, however, violent in his resentments. He had been at the head of an opposition to the minister

[1] Gordon (William, D.D.), *History of the Rise, Progress, and Establishment of the Independence of the United States of America*, vol. i. Letter IV.

of the town where he lived, and the chief cause of his leaving the town and removing to another colony. In a few years after, he made a public acknowledgment of his unwarrantable conduct in this affair, which he caused to be published in the newspapers. This ingenuous confession raised his character more than his intemperate conduct had lessened it.[1]

Unfortunately 'he was subject to glooms, which confined him, and rendered him, while they lasted, unfit for business,' so that although 'he was more attended to in the House than any of the leaders,' he was 'less active out of it.'

Hawley's enmity to Hutchinson is accounted for in the 'History of Massachusetts.' 'He thought he had not been properly treated by the Lieutenant-Governor as Chief Justice in the Court of Common Law, and to revenge himself brought this public abuse against him in the Assembly,' that is, the accusation of 'ambition and a lust of power.'[2]

John Adams came of the same stock as Samuel, their grandfathers being brothers. John's grandfather, who was the eldest grandson of the original settler, remained at Braintree, but though he is described as a 'labouring farmer,' he was evidently a man of substance. John was sent to Harvard College, apparently with the view of becoming qualified for the Congregational ministry. At that time

> the distinction of rank was observed with such punctilious nicety that, in the arrangement of the members of every class, precedence was assigned to every individual according to the dignity of his birth or the rank of his parents. John Adams was thus placed the fourteenth in a class of twenty-four, a station for which he was probably indebted rather to the standing of his maternal family than to that of his father.[3]

It was not, however, equal to the place assigned to his cousin Samuel.

[1] Hutchinson, *Hist. Mass.*, ch. iii.

[2] *Ibid.* ii.

[3] *The Life of John Adams* (begun by John Quincy Adams, completed by Charles Francis Adams), ch. i. and ii. (written by J. Q. Adams). The account here given of John Adams is taken from the *Life*, with some references to Hosmer's *Samuel Adams* and other books to be mentioned.

The young man was evidently repelled from entering the ministry by the rigidity of the dominant form of faith, and he eventually determined to become a barrister. He read law with Mr. Putnam, supporting himself at the same time as Latin master in a school at Worcester for two years. After being called to the Bar he returned to Braintree, which was only ten miles from Boston, and lived with his own family until his marriage with the daughter of a minister at Weymouth, which introduced him to an influential connection. He served the offices of surveyor of highways, selectman, assessor and overseer of the poor of the town of Braintree, which were almost hereditary in his family, and had just begun to distinguish himself at the Bar by his management of a case at Pownalborough, when the Stamp Act gave him the opportunity of becoming a politician.

Republicanism is a word with many shades of meaning. Reared as John Adams had been, it never came in his mind to mean the 'levelling up' of the inferior classes and submerged 'masses.' He admired prosperity and appreciated its external evidences. The following passage, written long after he had become an agitator, is obviously a sneer at the simplicity, or poverty, as well as at the loyalty of a judge:

> 'Adams,' who had set out to attend the court at Ipswich, 'overtook,' he says, 'Judge Cushing in his old curricle, and the two lean horses, and Dick his negro, at his right, driving the curricle. This is the way of travelling in 1771—a judge of the circuit, a judge of the Superior Court, a judge of the King's Bench, Common Pleas, and Exchequer, for the province, travels with a pair of wretched old jades of horses, in a wretched old dung-cart of a curricle, and a negro on the same seat with him, driving.[1]

Adams then turns round to give a thrust in the other direction, against the project of assuring the judges fixed salaries. '"But we shall have more glorious times anon, when the sterling salaries are ordered out of the revenue to

[1] Flanders (Henry), *Lives and Times of the Chief Justices of the Supreme Court of the United States*, vol. ii., 'Life of William Cushing.'

the judges, as many most ardently wish, and the judges themselves among the rest, I suppose." '

To return to John Adams's first entry on the field of politics, of which some particulars have been already mentioned incidentally. He found in his cousin Samuel a man willing and anxious to push him into the forefront of the struggle, and on his side readily took advantage of the opportunity thus afforded. 'John Adams,' writes Hosmer, 'has interesting things to say in his "Diary" about the clubs, at which he met the famous characters of the day.'[1] In the beginning of 1765, indeed, the venerable Jeremy Gridley, leader of the Bar, 'formed a project of a Law Club or Sodality,'[2] which was, no doubt, nationalist in its tendencies, as was its founder. Of this club John Adams was one of the first members. 'They had only a few weekly meetings, at which they read part of the feudal law, in the "Corpus Juris Civilis," and the oration of Cicero for Milo, in the translations of Guthrie and of Davidson. Their readings were intermingled with comment and discussions.' But the utterances quoted by Hosmer relate to a very different sodality:

'This day learned that the Caucus Club meets at certain times in the garret of Tom Dawes, the adjutant of the Boston regiment. He has a large house and he has a moveable partition in his garret, which he takes down, and the whole club meets in one room. There they smoke tobacco till you cannot see from one end of the garret to the other. There they drink flip, I suppose, and there they choose a moderator who puts questions to the vote regularly; and selectmen, assessors, collectors, wardens, fire-wards, and representatives are regularly chosen before they are chosen in the town. Uncle Fairfield, Story, Ruddock, Adams, Cooper, and a *rudis indigestaque moles* are members. They send committees to wait on the Merchants' Club, and to propose and join in the choice of men and measures.'

It was the successor of this club to which Samuel Adams now introduced John Adams. The new organisation was larger, and

[1] Hosmer, *Samuel Adams*, ch. v., 'Parliamentary Representation and the Massachusetts Resolves.'

[2] *Life of John Adams*, by J. Q. Adams, ch. ii.

the scope of its action, too, instead of being limited to town affairs, now included a wider range in the struggle that was beginning.[1]

John Adams was often at variance with James Otis the younger, who could, no doubt, be exceedingly provoking. In 1763, when four simple regulations as to fees, etiquette with regard to attorneys, &c., were proposed and assented to by all the rest of the court, Otis delayed their acceptance by his violent denunciation of them as 'against the province law, against the rights of mankind, &c.' This led to a fierce quarrel with Adams, in whose 'Diary' Otis is described as 'an ugly, surly, brutal mortal,' and much besides; indeed, every prominent barrister present made some unfavourable comment upon his conduct, according to Adams, and this is likely enough.

Another member—introduced to political life, it is said, by Samuel Adams—who rose to eminence in the revolution, was John Hancock, already mentioned in the last chapter. Of him Mr. Hutchinson wrote:

> Mr. Hancock's name has been sounded through the world as a principal actor in this tragedy. He was a young man whose father and grandfather were ministers in country parishes, of irreproachable characters, but, like country ministers in New England in general, of small estates.
>
> His father's brother, from a bookseller, became one of the most opulent merchants in the province. He had raised a great estate with such rapidity, that it was commonly believed among the vulgar that he had purchased a valuable diamond for a small sum and sold it again at its full price. But the secret lay in his importing from St. Eustatia great quantities of tea in molasses hogsheads, which sold at a very great advance; and by importing at the same time a few chests from England, he freed the rest from suspicion, and always had the reputation of a fair trader. He was also concerned in supplying the officers of the army, ordnance, and navy, and made easy and advantageous remittances. . . . . The uncle was always on the side of Government. The nephew's ruling passion was a fondness for popular applause.[2]

[1] Hosmer, *Samuel Adams*, ch. v., as above.

[2] Hutchinson, *Hist. Mass.*, ch. iii.

Lest Mr. Hutchinson's testimony with regard to Thomas Hancock should be suspected, as coming from a political opponent of his nephew, I subjoin Sabine's statement, which is not open to any such objection. 'Thomas Hancock's plan of smuggling was to put his tea in molasses hogsheads, and thus run it, or import it without payment of duties.'[1] Hosmer almost boasts that 'every skipper was more or less a smuggler, and knew well how to brave or evade authority.'[2] He continues:

> Wealth flowed fast into the pockets of the Boston merchants, who built and furnished fine mansions, walked King Street in gold lace and fine ruffles, and sat at home, as John Hancock is described, in a red velvet cap, within which was one of fine linen, the edge of this turned up over the velvet one, two or three inches. He wore a blue damask gown lined with silk, a white plaited stock, a white silk embroidered waistcoat, black silk small-clothes, white silk stockings, and red morocco slippers. It is all still made real to us in the superb portraits of Copley—the merchants sitting in their carved chairs, while a chart of distant seas unrolled on the table, or a glimpse through a richly curtained window in the background at a busy wharf or a craft under full sail, hints at the employment that has lifted the men to wealth and consequence.

Hutchinson asserts that John Hancock was affronted because Governor Bernard took time to consider whether he should make him a justice, and that his subsequent conduct was influenced by this circumstance. It is certain that he was strongly impressed with a sense of his own importance, and strove to impress others likewise. The liberality, or profuseness, which he showed on the occasion of the repeal of the Stamp Act became one of his leading characteristics, and the fortune which Thomas Hancock had accumulated by doubtful means soon diminished under his nephew's management. Mr. Scudder speaks of the nephew as famed for his magnificence to such an extent

[1] Note to Sabine's 'Preliminary Remarks' to *The American Loyalists*.

[2] Hosmer, *Samuel Adams*, ch. i., 'The Youth and his Surroundings.'

that he was styled 'King Hancock.'[1] 'Everything about him is picturesque,'[2] writes Mr. Lodge.

The party of established order is generally more difficult to organise than the party of revolution, and the loyalists of Massachusetts seem to have lacked the vigour which their opponents possessed and used unsparingly. The chief officials were hampered by their position, restrained by their consciences also in common with many other loyalists, and fatally depressed by the heartlessness of the British Government. That there were, in spite of adverse circumstances, not a few men who stood bravely to their colours cannot, however, be doubted, though it has not suited American writers in general to perpetuate their names, except for the purpose of pouring contempt on them. Jonathan Sewall,[3] the scion of a distinguished family, who had graduated at Harvard in 1748, is described by Sabine as 'a man of fine talents and of honourable character'; he has been mentioned as the Governor's champion in the newspapers under the signature of 'Philanthropos.' After some years of school-teaching he studied law, and commenced to practise in Charlestown. He was the intimate friend of John Adams, whose regard survived even the divergence of their views, and he married a sister of John Hancock's wife. Governor Bernard made him Attorney-General, but he subsequently shared the fate of most loyalists and became a refugee.

As a man of action, a sturdy, uncompromising 'Tory' on all occasions, Brigadier-General Timothy Ruggles stands forth almost alone in the annals of the time. 'Stout Timothy Ruggles was the son of the minister of Rochester,' writes Hosmer. 'He was six feet six inches tall, and as

[1] Scudder (Horace), 'Life in Boston in the Revolutionary Period' (Winsor, *Mem. Hist. Boston*, vol. iii., 'The Revolutionary Period').

[2] Lodge (Henry Cabot, D.D.), 'The Last Forty Years of Town Government' (Winsor, *Mem. Hist. Boston*, vol. iii., 'The Last Hundred Years').

[3] Sabine, *The American Loyalists*, 'Sewall (Jonathan).' He is also noticed by Hutchinson, John Adams, &c.

stalwart in spirit as in frame.'[1] Tudor in his 'Life of Otis' asserts that young Timothy refused to enter his father's profession,[2] and was for a time an innkeeper, doing much of his own work. This phase of his career is not mentioned by Hosmer, who continues:

He became a soldier, and as the French wars proceeded was greatly distinguished for his address and audacity. At the battle of Lake George he was second in command, having charge especially of the New England marksmen, whose sharp fire it was that caused the defeat of the Baron Dieskau. As a lawyer, after his return from his campaigns, his reputation equalled that which he had gained in the field. His bold, incisive character, and a caustic wit which he possessed, caused men to give way before him. John Adams, in 1759, mentions Ruggles first and most prominently in making a comparison of the leading lawyers of the province, and tells us in what his 'grandeur' consisted.

Tudor also, the biographer of Otis, describes Ruggles as an 'impressive pleader and able parliamentary debater.'

To continue Hosmer's account:

Ruggles then lived in Sandwich, but removing soon after to Hardwick, in Worcester County, he laid out for himself a noble domain, greatly benefiting the agriculture of the neighbourhood by the introduction of improved methods, by choice stock, and an application of energy and intelligence in general. In public and professional life he was a rival of the Otises, father and son. He was at one time Speaker of the Assembly. He was President of the Stamp Act Congress in New York, where his opposition to the patriot positions caused him to be censured. As the conflict between Crown and Assembly proceeded he was one of Samuel Adams's most dreaded opponents. Through force of character he did much to infuse a loyalist tone into the western part of the province, which might have been fatal to the Whigs had there not been on the spot a man of Hawley's strength to counteract it.

The following paragraph from Thomas Bernard's biography of his father may help to explain why Ruggles was not more successful as a leader—could not, that is, inspire a

[1] Hosmer, *Samuel Adams*, ch. xvii., 'Hutchinson and the Tories.'

[2] Tudor, *The Life of James Otis of Massachusetts*, ch. xv.

sufficient number of persons with his own courage and resolution:

> The opposers of Government felt so much the strength and benefit of their newly acquired power that they exerted every means of enforcing and continuing it. Rumours the most ill-founded, and reports the most improbable, were daily circulated, and were implicitly received by the people. The Stamp Act and its repeal were lost in the magnitude of their consequences, and the party that owed its power to the existence of the Act endeavoured, after the repeal, to apply that power as the instrument and means of its own accumulation. Among other things, it was reported and credited that the plan and system of the Stamp duties were originally framed and digested in the province; that the principal officers and supporters of Government were the actors, and the Governor's house the scene of the conspiracy. This, and the regular publication and successful proscription of every member of either House who had the hardiness to exert himself or to appear in behalf of Government, produced gradually a general effect of intimidation, and left the Governor hardly the credit of a respectable minority. The circumstance of the production of Governor Bernard's letters in Parliament having materially contributed to the repeal of the Stamp Act was at Boston almost unknown, and, what was more, became utterly incredible.[1]

These last assertions seem, at a first glance, inconsistent with Mr. Hutchinson's statement that letters from England had been published, acknowledging the effect of the Governor's own letters in favour of repeal. It is, however, probable that the circulation of these English letters was restricted, and took place chiefly amongst persons already disposed to be loyal; whereas the injurious reports were sown broadcast by the revolutionary party. At the same time, the caprice and weakness of British administration struck dismay into the great body of the loyalists. It became impossible even to guess what a day might bring forth; and this vague terror of future evils, surpassing those they were already enduring, furnishes some explanation of the supineness exhibited by the 'Tories,' with some notable exceptions, during the crisis—supineness which in the end only aggravated their misfortunes.

[1] *Life of Sir Francis Bernard.*

> The greatest danger to the colonial cause [writes Lecky] was the half-heartedness of its supporters. It is difficult or impossible to form any safe conjecture of the number of real loyalists in America, but it is certain that it was very considerable. John Adams, who would naturally be inclined to overrate the preponderance in favour of independence, declared at the end of the war his belief that a third part of the whole population, more than a third part of the principal persons in America, were thoroughly opposed to the revolution. Massachusetts was of all the provinces the most revolutionary, but when General Gage evacuated Boston in 1776, he was accompanied by more than one thousand loyalists of that town and the neighbouring country. Two-thirds of the property of New York was supposed to belong to Tories, and except in the city there appears to have been no serious disaffection. In some of the southern colonies loyalists probably formed half the population, and there was no colony in which they were not largely represented.[1]

If to these decided loyalists the persons of various shades of opinion and feeling between them and the active revolutionists be added, it is easy to see that the result might have been very different.[2]

From allusions already made in these pages, the reader may have formed some idea of the frequent changes in the British Ministry—changes caused to a certain extent by wide divergences of opinion as to the best mode of dealing with Wilkes and his formidable following, but aggravated latterly by the problem of American discontent. It need hardly be said that the vacillation which is one of the drawbacks of constitutional government—in other words, the constant liability to change of Ministers and measures—was thus increased, and far exceeded the customary limits. Governor Bernard's perplexities were much augmented thereby. In the course of the nine years which he spent in Massachusetts there were six successive Ministries in England.[3] George III. displaced his father's Minister, the Duke

[1] Lecky (W. H.), *A History of England in the Eighteenth Century*, ch. xi.

[2] The same historian goes at some length into these particulars.

[3] Haydn, *Dictionary of Dates*, 'Newcastle, Bute, Grenville, Rockingham, Chatham, Grafton, Administrations.'

of Newcastle, in May 1762, to make room for his favourite, the Earl of Bute. In less than a year he was compelled by public feeling to give way, and Bute was succeeded in April 1763 by the Right Hon. George Grenville, the ostensible author of the Stamp Act, who resigned soon after that achievement in 1765. The Marquis of Rockingham, his successor, went out of office in 1766, having governed for about thirteen months. The Earl of Chatham, 'at the head of an ill-assorted Ministry, made up of men of different parties and conflicting views,' was Prime Minister for sixteen months. He retired on account of bad health, but accepted the post of Lord Privy Seal under the Duke of Grafton, his successor.

The ideas of these several Ministries on American politics, which gradually assumed an ominous importance, were, of course, various and discordant.[1] At one time the Governor was desired to exercise sternness, at another time lenity, whatever might have been the recent conduct of the Opposition in Boston; and he found, besides, reason to complain of a 'general want of instructions, directions, and advice' in the height of the struggle, which was often bewildering to himself, and greatly contributed to embolden his adversaries. Indeed, the shifty, unstable character of the English government of the colonies lent strength to every argument in favour of independence. Francis Bernard and Thomas Paine were men of very opposite views, but no one could better appreciate the force of some of Paine's observations, published in the next decade, than the sorely tried Governor. For instance:

> To be always running three or four thousand miles with a tale or petition, waiting four or five months for an answer, which when obtained requires five or six more to explain it, will in a few years be looked upon as folly and childishness; there was a time when it was proper, and there is a proper time for it to cease.[2]

[1] Illustrations of the statements in this and the following paragraphs will be found in *Letters to the Ministry*, *Select Letters*, *The Life of Sir Francis Bernard*, &c., &c., as will appear in this and subsequent chapters.

[2] Paine (Tom), *Common Sense*, iii., 'Thoughts on the Present State of American Affairs.'

Mr. Bernard, as the reader of these pages must discover, was in correspondence with a number of Secretaries of State.[1] There were at that period always two, who managed home and foreign business between them. The Colonies were assigned to the 'eldest Secretary.' Changes in the persons of the Secretaries were not always coincident with the formations of new Ministries; but during the Governor's sojourn in America they succeeded each other rapidly. While he was in New Jersey, and during the first few months of his residence in Massachusetts, the Earl of Holdernesse was senior Secretary; then William Pitt (afterwards Prime Minister and Earl of Chatham), the Earl of Egremont, the Earl of Bute (who speedily attained the Premiership), followed in quick succession; and in the course of the five troubled years which ensued after George Grenville's elevation to the same post, the Earl of Halifax, the Duke of Grafton (who became Prime Minister), the Duke of Richmond (who was Secretary less than three months), the Hon. Henry Seymour Conway (better known as General Conway), and the Earl of Shelburne were, in succession, 'eldest Secretaries.' Finally, the increasing urgency of American affairs led to the appointment of the Earl of Hillsborough as an additional Secretary, especially for business relating to the disturbed colonies.

It will be observed that Mr. Bernard's relations appear to have been especially cordial with General Conway and the Earl of Hillsborough. Among the Under-Secretaries, John Pownall was an old friend, and remained a friend to the end of the Governor's life. There was another gentleman whose intimacy with Governor Bernard also continued, through all vicissitudes, to the last—namely, Richard Jackson, Grenville's secretary as Chancellor of the Exchequer when the project of a Stamp Act was devised, who, notwithstanding this position, has won the praise of Bancroft. 'One man in Grenville's office,' writes the American

[1] Beatson, *A Political Index to the Histories of Great Britain and Ireland*, vol. i., 'Of the Office of Principal Secretary of State,' and 'A List of the Principal Secretaries of State.' Edition of 1788.

historian, 'and one man only, did, indeed, give him sound advice. Richard Jackson, his secretary for the Exchequer, advised him to lay the project aside, and formally declined to take any part in preparing or supporting it.'[1] Elsewhere the historian writes:

> Jackson was a Liberal member of the House of Commons, a good lawyer, not eager to increase his affluent fortune, frank, independent, and abhorring intrigue. He was moreover well acquainted with the state of America, and exercised a sound judgment on questions of colonial administration. His excellent character led Connecticut and Pennsylvania to make him their agent, and he was always able to combine affection for England with fidelity to his American employers.[2]

Richard Jackson[3] was for a time agent for Massachusetts also. Further particulars of his intercourse with Mr. Bernard in England will be found in a subsequent chapter.

If Governor Bernard had many staunch friends, he had also more numerous and bitter enemies, and he had often to deal with persons whose conduct scarcely squared with the rules of honour. In a statement written for the perusal of his youngest son, Scrope, a few years after Bernard's death, by Mr. G. W. Lewis, of Westerham, Kent, that gentleman speaks of the Governor as

> the late Sir Francis Bernard, whose friendship to the Americans was misconstrued in the late war, and whose despatches, I believe, were wilfully kept back from the King for bad purposes; the which, if they had been known in time, as they were afterwards, would have prevented all the dreadful calamities that after happened. My father informed me of this.[4]

It may be assumed that the elder Mr. Lewis had some grounds for his idea that there had been underhand dealings with regard to these despatches. Certain it is that the

[1] Bancroft, *History of the United States*, Epoch ii. ch. v.
[2] *Ibid.* iii. [3] *Ibid.* vi.
[4] MS. letter at Nether Winchendon, already quoted for a different purpose in vol. i. ch. x. of this work.

Governor was made the victim of other dishonourable practices.

Many and remarkable as were the mistakes of the British Administrations, it could hardly have been credited that at this anxious and exciting period any Ministry would have allowed the publication of a Colonial Governor's confidential letters, written with unreserve, and prompted solely by the intention of imparting as much information as possible concerning the agitation and its leaders. Yet this is what happened. In most histories of the time proceedings of this nature [1] are noted as having taken place with reference to letters written towards the end of 1768 only; but the practice is mentioned in a letter from the Governor to Lord Hillsborough in May 1768 as already notorious; and Thomas Bernard is explicit in averring that it was carried on so early as 1766.[2] He continues the narrative of his father's difficulties, already quoted in part, as follows:

A contest so unequal could not long exist. The Custom House had lost its power of action, and the only seizures that were attempted had been rescued with an high hand; but the fatal blow to the Governor's influence and authority was the publication of extracts of his official despatches, written, as he expresses it, 'in the heat of action, and in perfect confidence that they would never go beyond the offices of his Majesty's Councils.' The use which the popular party succeeded in making of these publications astonished and confounded the friends of Government at Boston, and embarrassed and irretrievably weakened the powers of government in that province. His letters were hardly received in the offices in London, before copies were returned to the Opposition at Boston; and every passage that could be perverted by a party to the purposes of inflammation and opposition, or could be misconstrued by a people in a state of ferment, was separated and garbled from the other parts of the sentence, that had explained, qualified, or restricted the sense, and supplied abundant materials for the newspaper and other periodical publications of the popular party.

[1] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxvi.; Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard,' and other writers.

[2] *Life of Sir Francis Bernard.* In the list of 'Contents,' chronologically arranged, the discovery of these practices is assigned to 1766.

While he was thus abandoned to every species of danger and difficulty by this breach of confidence, and while by his official situation he was precluded from vindicating his own character and producing the entire letters as entered in his letter-book; and while he was left to the mercy of the people, the single and defenceless pageant of the royal authority, exposed on account of his duty and situation to the resentment of a people whom he loved, he received a letter from the Earl of Shelburne, who appeared to consider the troubles that then infested the province as matters of personal dispute between the Governor and his people. After observing on the spirit of anarchy and disobedience then prevalent at Boston, his Lordship proceeded:

'To prevent these effects I must on all occasions recommend to you, as Governor, the most prudent conduct possible, without descending from the dignity inseparable from good government. I flatter myself that private party feuds and resentment between you and those you govern will never have a share in keeping up the animosities which have for some time subsisted, and which in the end may have the most serious consequences.'[1]

On the subject of the Governor's pilfered letters Thomas Bernard further writes:

These letters, which contrary to every precedent of office had been delivered into the hands of Opposition, and had contributed to compose the periodical contributions of the party, had been originally prepared under as little advantage as they were afterwards published. During the troubles at Boston the Governor's time had been fully occupied; and his letters to England were written at the moment, and on the spur of the occasion; and (which I state from personal knowledge) the original drafts, as written in his own hand, were generally despatched immediately as opportunity offered. On subjects so important, and in a situation so delicate, it would undoubtedly have been to his satisfaction to have repeatedly considered and corrected the drafts of his letters; but it was very essential to his Majesty's service that, at a period so critical, no time should be lost, but that every material information should be transmitted without delay and without reserve.

The Governor attempted to meet this difficulty by withdrawing Thomas from Harvard[2] and making him

[1] *Life of Sir Francis Bernard*, 'Letter from the Earl of Shelburne to Governor Bernard, dated December 11, 1766.'

[2] Baker, *Life of Sir Thomas Bernard*.

his confidential secretary. The nephew and biographer of Thomas—a grandson of the Governor—expressly states that this withdrawal took place 'during the first disturbances in America,' and on account of 'some private communication to the Minister in England having got abroad,' and this statement he no doubt received from his uncle.

There were many ways in which the assistance of a son, instead of a stranger, might be a comfort to Mr. Bernard, even in correcting inadvertencies, or at least suggesting the possibility of misconstruction. But something more seems to be implied in his resolution to send for his son—namely, that, although his letters had been sent to his adversaries from England, he suspected treachery nearer his person. On this subject, however, I have no evidence, and the mysteries of those dark transactions must, therefore, remain unsolved.

A passage in Gordon's History—and Gordon, be it remembered,[1] 'stood with the patriots'—shows that letters from the Ministry in England were fraudulently made public also. He writes about Governor Bernard's affairs that

> The Boston Sons of Liberty had great advantages against him from the early intelligence procured by the supposed author of 'Junius Americanus,' and forwarded for safety under an unsuspected coarse paper cover to Mr. Thomas Bromfield, glover, at Boston. Sir Francis was astonished to find that the contents of his letters from Ministry [*sic*] were known by them as soon as by himself.

In reading and writing of these manifold forms of treachery and intrigue, it is difficult to believe that the narratives refer to a people proud of its integrity and boastful of its moral superiority to other nations.

[1] Gordon (William, D.D.), *History of the Rise, Progress, and Establishment of the Independence of the United States of America*, &c., &c., vol. i. Letter IV.

CHAPTER XIX

THE GOVERNOR'S WIFE AND HER SURROUNDINGS

Mrs. Bernard instructs her young Family—Principal Characteristics of young Francis Bernard—Thomas Bernard—Shute Bernard represents the Nonconformist element in the Family—Amelia Bernard—Julia Bernard—Phillis Wheatley, the Slave—Margaret Draper—The Story of Lady Eleanore Rocheliffe—Esther Dudley—A Tradition of Outrage on Mrs. Bernard.

THERE was a comparative lull in politics, as regarded Massachusetts, between the repeal of the Stamp Act and the imposition of a new tax, which imposition led to fresh and continuous agitation. In this break it will be convenient to relate the few particulars I have been able to collect respecting the home life of Francis Bernard in Massachusetts.

There is every indication that in his domestic surroundings the Governor found a haven of rest for mind as well as body. The peace of this refuge even was, unhappily, chequered by sorrow, but apparently never ruffled by discord. In this sphere Amelia Bernard was the presiding genius, and her husband found in her an invaluable helpmate.

My records of the family movements are few and scant, but it is probable that young Francis, the eldest son, who took his B.A. degree at Oxford in 1766,[1] joined his family at Boston in the autumn of the same year. John, as already noted, was at Boston the year before,[2] when he formed one of the valiant corps of cadets; and thus the whole circle was complete, with the exception of the two daughters left under the care of Mrs. Beresford at Nether Winchendon.

Mrs. Bernard, as may be inferred from her daughter Julia's 'Reminiscences,' in the midst of her anxieties for her

[1] See vol. i. ch. x. of this work.

[2] See ch. xvi. of this volume.

husband, and, indeed, for her children also, as well as for many kind friends, perseveringly continued the instruction of her young family, allowing for some unavoidable interruptions, through all the troubles of the times. Julia recurs more than once to the subject of the maternal teaching, with especial pleasure. In one passage of her 'Reminiscences' she says: 'I have great cause to be thankful that my mind was early impressed with religious feelings; as long as I can remember I went to my mother's sitting-room every morning, a large Bible always on one of her tables, and read to her.'

On the subject of general instruction she writes:

I have said that my mother's education of us younger ones was that of ideas, not words. I find it difficult to describe the manner. One of my brothers afterwards said our reading, our education, was in my mother's sitting-room, where the best authors were always lying about, which we read and talked of—Addison, Milton, Shakespeare, voyages, history, &c. No school, no governess; I cannot recollect anything ever wearisome or unpleasant that we had to do. No childish books, no fatiguing tasks; the first book I can recollect reading was the 'Spectator,' which, with the 'Guardian' and 'Tatler,' we took great delight in. 'The World Displayed,' containing all discoveries of different countries, was a constant source of amusement; with a globe upon the table we traced the track of travellers by sea and by land. We read the newspapers and searched out every place spoken of.

I forget the manner in which my mother opened to our minds the sublime wonders of the heavens. Astronomy, she said, was a very exalting study. With a large orrery, moving by clockwork, she explained to us all the motions of the planets. The cause of the different seasons, the day and night, changes of the moon, &c., shown to us by the effect of light and darkness. All these things I had as clear an idea of at eight and nine years as I have now, and never received any other instruction in those sciences. Instead of learning by rote strings of words, we learnt fine passages out of Milton, and Shakespeare—whose wit and beauties were familiar to us—his oddities we comprehended not. My mother's dressing-room was also the resort of my elder brothers, some grown up, and of my father when leisure permitted—when interesting conversation was going on, sometimes reading. My

eldest brother, Francis, was a young man of uncommon talent; I was told he was familiarly conversant with six languages. I can remember his partiality for me, then a little girl. . . .

This mention of young Francis Bernard suggests some remarks. If he had been seriously affected by the fall he had suffered in boyhood, it is probable that he ought to have relinquished study altogether for some years, and that he should for ever after have exercised caution and moderation. But Julia's description is evidence that he had not observed this rule. Five at least of the languages he knew, supposing English to have been the sixth, must have been acquired by hard study; two or three were, no doubt, modern languages, but he does not appear to have travelled on the continent of Europe, and had no exceptional facilities for acquiring them in England. Left very much to himself through the absence of his parents, he probably overstudied, from inclination rather than compulsion.

I have not, however, found any indication that his condition on reaching America inspired alarm, unless the circumstance that he does not appear to have entered any profession be taken as such. It is not conclusive, because there is reason to think that his father commenced training him to act as agent over his American estates. The Governor, if somewhat anxious about his firstborn, perhaps believed that a life spent chiefly in the open air would invigorate both mind and body. This is the more likely since, according to family tradition, Francis became famous as a tamer of wild horses. It may be, however, that he still employed more of his leisure than was desirable in literary pursuits; it may be also that he required physical as well as mental rest.

The following description in one of Julia's manuscripts I imagine to be a word-picture of Francis. It immediately follows a fragmentary sketch of her fourth brother, Shute, but is evidently intended to portray a different person:

His two principal characteristics were—a good heart and a strong head; these he continued to assist and improve to their

extreme bent. He was ambitious, undeterminedly so; this tinged particular parts of his conduct.

Sensible of the force of his genius, urged to improvement by the view of something great, buoyed up by particular circumstances, he wished to strike out something new, and attempt a path untrod before, rather than follow the counted steps of a trite road.

He would rather have failed in a noble pursuit than have drudged successfully.

In other words, as it seems to me, he rejoiced in his position as a reclaimer of the wilderness, and had in imagination already identified himself with the future greatness of America.

The end will be told in another chapter.

It would be about this period that John, the Governor's second son, whose appointment as Naval Officer to the Port of Boston was of comparatively small pecuniary value, and entailed occasional work only, was started in business at Boston as a merchant—a strong presumption that his father intended him also to settle in America.

Thomas Bernard, after commencing his education in a New Jersey school, had entered at Harvard, and was probably enjoying the life, when circumstances led his father to withdraw him before he had finished his full course.[1] In consequence of the theft and publication of the Governor's letters already mentioned, Thomas was installed as private secretary, and thus it befell that his education, as regarded scholastic learning, was stopped at the age of sixteen. If this was not considered so premature an ending in Massachusetts as in England, it left his training, nevertheless, incomplete; and his biographer speaks of the curtailment as unpremeditated, stating 'that the pursuit of his studies was soon interrupted'; but adds, 'however, by the progress he had already made he had entitled himself to the degree which he afterwards obtained of Master of Arts.' Thomas was, indeed, blessed with an amount of quiet perseverance, which enabled him to overcome many difficulties in the

[1] *Life of Sir Thomas Bernard* by the Rev. James Baker.

course of his life; and he eventually found, in the business habits and the knowledge of men and things which he acquired as his father's right-hand man, compensation for whatever advantages he had missed in the way of academic training.

Thomas was five years younger than John, but little more than two years separated him from his next brother, Shute.

Of this youth, the Governor's fourth surviving son in 1767, I know very little, and can only advert to his sister Julia's descriptive sketch of his characteristics. From this it would seem that Shute, as his name had foretold, represented the Nonconformist element in the family; not, indeed, the discerning, flexible disposition which had been conspicuous in the family whence he derived his baptismal name, but the stern, uncompromising spirit of his great-grandfather, Dr. Caryl, who, though he had doubtless enjoyed his early, prosperous years in the English revolutionary period, did not even modify his principles when they relegated him to obscurity. Of course it is impossible to say how much a sister's vivid imagination may have coloured this view of so young a lad; and, moreover, intercourse with the world, in circumstances very different from his ancestor's experiences, might have materially altered the type, had he been spared to live out his life to middle age, or even for a less extended period.

Unfortunately, I mislaid Julia's descriptive sketch after copying it, and, as the original has since gone to Australia, I am unable to quote her very words in their exact order.[1] In the absence of any family letters dating from this period, that sketch supplies, perhaps, the only record of one whose earthly existence, though short, must have been long enough to leave the sense of an aching void in the home.

It may be assumed that Shute's education had commenced at some Boston school; further he had probably

[1] Julia's MSS. were in the possession of her granddaughter, Mrs. Schneider, when I saw them; they have been sent, since her death, to her sons in Australia.

not proceeded. How he died I know not, nor whether his illness was a long one, but the date given is April 5, 1767, when he was only in his fifteenth year.[1] This first loss, of a child almost on the threshold of manhood, must have been a heavy blow to both parents, and it came as an additional burden in the midst of political anxieties. Julia's vivid remembrance of her brother, notwithstanding her tender years, indicates the deep impression it made on the whole family.

Amelia, the second Bernard girl, who, in the absence of her sister Jane in England, occupied the position of an eldest daughter, attained her twelfth year in 1766. She appears to have been quiet and thoughtful; not as intellectual, probably, as her sisters, but none the less fitted thereby for her post as companion and right hand to her mother, and in some respects to her father also.

The three remaining children—William, Scrope, and Julia—were so young that their histories afford at this epoch little to record. The two boys were probably sent in due course to a day-school; and it may be assumed that the Governor took a personal interest in the progress of his sons, and supplemented to a certain extent, in his intervals of leisure, the instruction they received from others. As to Julia, who remained under her mother's care, she is already familiar to the reader through the descriptions of her brothers, and also the 'Reminiscences' written in her later years, in which she recurs frequently and with tender recollection to her pleasant early studies:

> I can never remember any troubles or difficulties about learning of any kind; no tasks, no punishments, no gloomy hours, no scolding. I don't know how my mother managed it, but our minds expanded, and we had great delight in reading, making it frequently our amusement at night when left to ourselves.
>
> My father had a thorough knowledge of music, and a great fondness for it; all the family played on some instrument or other; I played on the harpsichord with both hands long before I received any instruction. Imitation and ear helped me on. My

[1] By Miss Collinson, in a list already mentioned.

father had occasionally concerts, having some of the military bands and others. Handel and Corelli's music were the first I used to hear and admire.

It was probably a surprise to the Bostonians to observe a Governor's wife superintending her children's education, and carefully initiating girls as well as boys into all the knowledge she could command, which was more than was common in Massachusetts. The position of women in England at that period appears to us depressed; it must have been worse in America. The wife of John Adams states that 'it was fashionable to ridicule female learning. In the best families it went no further than writing and arithmetic; in some few and rare instances music and dancing.'[1] Mrs. Adams and her sisters had, indeed, been allowed by their father, the Minister of Weymouth, to indulge a taste for literature; but they stood almost alone. Mercy Warren, the daughter of the elder and sister of the younger James Otis, wrote political poems and held revolutionary salons;[2] in her play entitled 'The Group' uncompromising Timothy Ruggles figures as 'Brigadier Hateall.'[3] Yet, although the movement in favour of higher education had begun, these were exceptional cases.

Another still more exceptional case was that of Phillis Wheatley, whose story affords a striking illustration of the possibilities of negro life in New England:

Phillis Wheatley, though nominally a slave for some years, stood at the head of the intellectual negroes of this period. She was brought from Africa to the Boston slave-market, where, in 1761, she was purchased by a benevolent white lady by the name of Mrs. John Wheatley. She was naked, save a piece of dirty carpet about her loins, was delicate of constitution, and much fatigued from a rough sea voyage. Touched by her modest demeanour and intelligent countenance, Mrs. Wheatley chose her

[1] Adams (John), 'Familiar Letters from and to his wife Abigail.' Quoted in Winsor's *Mem. Hist. Boston*, vol. iii. ch. iii.

[2] Goddard (Delano A.), 'The Pulpit, Press and Literature of the Revolutionary Period' (Winsor, *Mem. Hist. Boston*, vol. iii., 'The Revolutionary Period').

[3] Tudor, *Life of James Otis*, ch. xv.

from a large company of slaves. It was her intention to teach her the duties of an ordinary domestic; clean clothing and wholesome food, however, effected such a radical change in the child for the better, that Mrs. Wheatley changed her plans and began to give her private instruction.[1]

Phillis was eight when severed from her parents and country. 'Her only distinct memory of her native home was that every morning early her mother poured out water before the rising sun.' But new scenes and impressions soon dimmed even this recollection, and reconciled her to the loss of all family ties. The name of Wheatley was given her as one of the Wheatley household, and from her master's daughter she learned to read the Bible, even its most difficult passages, with ease and accuracy, and then to write with such success that within four years she was noted as a clever correspondent on a variety of topics. Many persons took pleasure in lending her books, and she so successfully completed her English education as to compliment King George, apparently in verse, on the repeal of the Stamp Act. She also studied Latin and translated one of Ovid's 'Tales,' which was published in Boston, and afterwards in England, where it was favourably received.

Whether etiquette allowed the Governor and his wife to take any personal notice of this remarkable child—for she was nothing more at this time—is not recorded in any book I have seen, but probably it did, as she was becoming a celebrity. It is still more likely that they knew her at a later time, under altered circumstances. So superior to her race was Phillis considered, that she was baptised in 1770, the year in which the Governor's wife left Massachusetts, 'into the membership of the Society of the Old South Meeting House, of which Dr. Sewall was pastor';[2] which was a special favour, for as a rule negroes were not baptised, or, if at all, not until they were old, it being considered that

[1] Williams (George W.), *History of the Negro Race in America*, ch. xiv., 'The Colony of Massachusetts.' Phillis is also mentioned by Mr. Goddard.

[2] *Ibid.*, from which book all these particulars of Phillis's biography are taken.

they had no more right to be Christians than citizens. In the same year a small collection, pamphlet size, of her poems was published.

In 1773 her health was failing—apparently her African constitution could not endure the rigours of the Boston climate—and Mrs. Wheatley took the opportunity of her son's journey to England to send Phillis with him. Her master seems to have emancipated her in preparation for this voyage. In London she created a sensation, and the remainder of her history will be told, in connection with that visit, in a subsequent chapter.

Some few women in Massachusetts had a certain importance as owners of property,[1] and some others carried on trades in their own names, taught art needlework, painting, &c., and apparently did well. One notable instance of a business woman was Margaret, the wife of Richard Draper,[2] publisher of 'The Massachusetts Gazette and Boston News-Letter.' It is true that her period of work in her own right did not begin till her husband's death, in 1774, but she must have been qualifying herself for the position long before. As a widow, she carried on the paper with the assistance of one John Howe, and it was the only one published during the siege of Boston. When the English were driven from the town, Mrs. Draper and Howe accompanied their army to Halifax, Nova Scotia, where Howe remained and established a newspaper. Mrs. Draper went on to England. It may be confidently assumed that her position as publisher of a royalist journal was not that of a mere cipher, but rather of the active head of a firm, since Trumbull thought her worth satirising in his 'McFingall,' and the British Government allowed her a pension.

But, after everything has been said on this subject, it remains evident that the men of New England, taken as a body, interpreted the words 'liberty' and 'independence' altogether to their sole advantage. Some years later, shortly

[1] Hawthorne (Nathaniel), *The Snow Image, and other Tales*, 'Old News.'

[2] Sabine, *The American Loyalists*, 'Draper, Margaret,' and 'Howe, John.'

before the Declaration of Independence, Mrs. John Adams wrote to her husband:

> In the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favourable to them than your ancestors. Do not put unlimited power into the hands of the husbands. Remember all men would be tyrants if they could. . . . Why, then, not put it out of the power of the vicious and lawless to use us with cruelty and indignity, with impunity?[1]

A few more years had elapsed when Oliver Ellsworth, a judge in the State of Connecticut, bordering on Massachusetts, and eventually Chief Justice of the United States, laid down the principle that a *feme covert* has neither a municipal nor a natural right to her own estate.[2] He attributes the greater latitude allowed by the Roman law in this particular to its lax view of marriage, and concludes: 'From this heathenish source sprung the idea of a *feme covert's* power to make a will, and has been absurdly adopted by some Christian countries, whom [*sic*] clerical influence has been sufficient to shackle with the civil law,' and so on, one argument being, of course, that restriction is a benefit to the woman herself.

In after years, Thomas Bernard was a decided advocate of the opposite view—namely, the right of a woman, whether married or single, to control over her own property both in life and death.

When writing of her parents in their public capacity, Julia Bernard observes:

> My father, who firmly and steadily put in execution the mandates of the Government here [that is, in England, whence Julia Bernard writes], was not popular, but came in for a pretty good share of abuse from those Sons of Freedom who, to this day, make use of slaves as a regular system—an inconsistency truly absurd and laughable. A Governor Shute had held the Government some little time before this, who was a relation of my

[1] Adams (John), 'Familiar Letters from and to his wife Abigail.'

[2] Flanders (Henry), of the Philadelphia Bar, *The Lives and Times of the Chief Justices of the Supreme Court of the United States.*

mother's; and he, being a great favourite with the Bostonians, occasioned a predilection in her favour; she was much respected and beloved.

It might be objected to Julia's assertion, or a portion of it, that slaves had been given up in Massachusetts as early as 1783, and in the Northern States generally before she wrote; but it is also true that they were retained, and the institution of slavery vehemently defended, then and long after, in the Southern States, which formed a portion of the same Republic. Unhappily, England, who also boasted of her freedom, had been the originator and long the upholder of slavery in her colonies, where it was not abolished until 1833. 'On August 1st, 1834, 770,280 slaves became free.'[1]

Julia's statement, that her mother was popular in great measure for the sake of her uncle, Governor Shute, is somewhat perplexing, since Hosmer speaks of him as a ruler 'in whose time the chronic quarrel between Governor and Legislature grew very sharp,'[2] and Hawthorne as one 'whom the people frightened out of the province';[3] while the account given by the loyalist Chalmers tallies with their representations. Julia cannot mean simply that her mother was respected and beloved by staunch loyalists, for this applies to her father also, and she certainly intimates that many persons who were adverse to him looked favourably on his wife. The consort of a Governor had, no doubt, the great advantage of living comparatively apart from the politics in which her husband might be compelled to act an obnoxious part; her mission consisted chiefly in winning hearts by her tact and courtesy, and thereby smoothing some differences and occasionally averting ebullitions of wrath; so that Julia's statement would be quite intelligible but for the mention of Governor Shute. I do not pretend to offer a complete solution of the enigma, but the following extract from Gordon, a native of Great Britain, who adopted

[1] Haydn, *Dictionary of Dates*, 'Slaves, Emancipation of.'

[2] Hosmer, *Samuel Adams*, ch. i., 'The Youth and his Surroundings.'

[3] Hawthorne (Nathaniel), *Twice Told Tales*, 'Legends of the Province House': 'Howe's Masquerade.' See vol. i. ch. ix. of this work.

to a great extent the American nationalist views, throws some light on the situation. From other sources it appears that the first years of Shute's administration had been comparatively peaceful, and these may have been afterwards brought to remembrance; like many other historical and non-historical characters, he was, perhaps, best appreciated when his death and a lapse of time had softened the asperity of the controvesy, Gordon relates that

the House of Assembly attempted to take from Colonel Shute those powers in matters relative to the war which belonged to him by the Constitution, and to vest them in a committee of the two Houses. They by degrees acquired from the Governor and Council the keys of the Treasury; and no monies could be issued, not so much as to pay an express, without the vote of the House for that purpose; whereas, by the charter, all monies were to be paid out of the Treasury, 'by warrant from the Governor, with advice and consent of the Council.'

The Ministry were greatly offended at the Governor's being made uneasy; for Colonel Shute was known at Court and the offices of State under the character of a very worthy gentleman, of a singular good temper, fitted to make any people under his command happy. When, therefore, they found the contrary in the Massachusetts, they concluded that the people wished to have no Governor from Great Britain, but wanted to be independent of the Crown. The cry of the city of London ran exceedingly against them; and a scheme, that had been long planned, for taking away the charter had nearly been executed, but was fortunately frustrated by the indefatigable pains of Mr. Dummer, their then agent. Their own Council at home were obliged to a confession of their illegal proceedings. An explanatory charter was prepared, proposed, and accepted. Had it not been accepted, the design was to have submitted to the consideration of the British Legislature 'what further provision may be necessary to support and preserve his Majesty's authority in the colony, and prevent similar invasions of his prerogative for the future.' [1]

The subject of a fixed salary,[2] as one means of ensuring

[1] Gordon (William, D.D.), *The History of the Rise, Progress and Establishment of the Independence of the United States of America, &c., &c.*, vol. i. Letter II. Gordon went to America in 1770, as he states in his Preface.

[2] Doyle (John A.), *History of the United States* ('Historical Course for Schools').

the Governor's independence of the people, was debated with pertinacity; the Crown desired Shute to bring this topic forward, but left him to fight his battle as best he could. In some respects, his experiences closely foreshadowed those of Bernard; he rejected a Speaker chosen by the Assembly, and the stormy nature of his Government probably led to his removal, the Government in England yielding to popular clamour.

Hawthorne has based one of his grim legends—indeed, the grimmest of all[1]—on the alleged pride and heartlessness of an orphan heiress, Lady Eleanore Rochcliffe, who is sent out to reside with Governor Shute and his wife, as her nearest relatives. Her visit is described as having terrible consequences for Massachusetts. Had this ill-omened lady ever existed, she would, of course, have been a relative of the Governor's niece, Amelia Bernard. But the name of Rochcliffe does not appear either in the extinct or the actual peerage, and the natural conclusion is that Hawthorne evolved Lady Eleanore out of his own inner consciousness.

According to this story, the heiress drives from Newport to Boston in a 'ponderous equipage with its four black horses . . . surrounded by the prancing steeds of half a dozen cavaliers, with swords dangling to their stirrups and pistols at their holsters.' This gay group reaches the balustrade of the Province House just as the bell is tolling for a funeral, and thus precluding all possibility of ringing the joyous peal customary on the arrival of distinguished visitors.

'A very great disrespect!' exclaimed Captain Langford, an English officer, who had recently brought despatches to Governor Shute. 'The funeral should have been deferred, lest Lady Eleanore's spirits be affected by such a dismal welcome.'

'With your pardon, sir,' replied Dr. Clarke, a physician, and a famous champion of the popular party, 'whatever the heralds may

[1] Hawthorne (Nathaniel), *Twice Told Tales*, 'Legends of the Province House, iii.: 'Lady Eleanore's Mantle.'

pretend, a dead beggar must have precedence of a living Queen. King Death confers high privileges!'

A black slave in livery throws open the carriage-door, and Governor Shute approaches to welcome his guest, when, most inopportunely, a pale young man, his hair all in disorder, throws himself on the ground before Lady Eleanore, intending her to walk over his prostrate form. '"His name is Jervase Helwyse,'" the Doctor explains to the indignant captain, '"a youth of no birth or fortune or other advantages, save the mind and soul that nature gave him; and being secretary to our colonial agent in London, it was his misfortune to meet this Lady Eleanore Rochcliffe. He loved her—and her scorn has driven him mad."'

When a grand ball is given at the Province House in honour of the English heiress, she appears in a wonderful article of dress—'an embroidered mantle which had been wrought by the most skilful artist in London, and possessed even magical properties of adornment.' So it was said, and the narrator (supposed to be one Mr. Tiffany) continues: 'Idle fancy as it is, this mysterious mantle has thrown an awe around my image of her, partly from its fabled virtues, and partly because it was the handiwork of a dying woman, and, perchance, owed the fantastic grace of its conception to the delirium of approaching death.'

Lady Eleanore is strange that evening, alternately flushed and pale, sometimes apparently sinking from lassitude, then lively and sarcastic. At last, when only four gentlemen are left standing near her, Jervase Helwyse rushes in, bearing a chalice from the neighbouring church, which he bids her sip and pass on to the other guests as a symbol that she recognises fellowship with humanity. In a struggle with Captain Langford the cup is overturned and its contents are sprinkled on Lady Eleanore's mantle. Helwyse is borne away, prophesying evil, and Dr. Clarke appears with a message for the Governor, gazing keenly at the heiress as he enters. His errand is of such a nature that the Governor, after listening to a few whispered words, changes countenance and puts an end to the festival.

A few days later the small-pox—'that scourge and horror of our forefathers,' as Hawthorne justly designates this terrible malady—breaks out in an aggravated form. It begins with the highest, especially those who stood round Lady Eleanore on that memorable night, but not, apparently, the Governor or his wife; then strikes all classes, even to the lowest. Pleasure, business, even the deliberations of Government, are at a standstill; we seem to be reading of a pestilence more deadly than the Great Plague of London. Its origin is clearly traced to the English heiress, and, as often as the red flag is hoisted over a hitherto unscathed house, the people shout, '"Behold a new triumph for the Lady Eleanore!"'

Yet the poor lady had no reason for triumph, since she was herself among the victims. While she lies in the agony of this terrible visitation, Jervase Helwyse forces his way into the Province House, and is allowed by Dr. Clarke to pass into Lady Eleanore's apartment. Here he encounters a being scarcely human in appearance—a 'heap of diseased mortality,' as he kindly terms her, moaning piteously for water, and in vain. She is alone, her nurse having fallen, 'death-stricken, on the threshold of that fatal chamber.' At first Helwyse, unable to recognise the object before him, upbraids this creature for her presence in his lady's sick-room; but when Eleanore confesses her identity, and adds, '"The curse of Heaven hath stricken me because I would not call man my brother, nor woman sister,"' he bursts into wild merriment, and scoffs at his dying love.

The sensational climax of this ghastly story is worthy of the previous details, and completes the glorification of the lunatic hero.

Impelled by some new fantasy of his crazed intellect he snatched the fatal mantle and rushed from the chamber and the house. That night a procession passed, by torchlight, through the streets, bearing in the midst the figure of a woman enveloped with a richly embroidered mantle; while in advance stalked Jervase Helwyse, bearing the red flag of the pestilence. Arriving opposite the Province House the mob burned the effigy, and a strong wind

came and swept away the ashes. It was said that from that very hour the pestilence abated, as if its sway had some mysterious connection, from the first plague-stroke to the last, with Lady Eleanore's mantle. A remarkable uncertainty broods over that unhappy lady's fate. There is a belief, however, that in a certain chamber of this mansion a female form may sometimes be duskily discerned, shrinking into the darkest corner, and muffling her face with an embroidered mantle. Supposing the legend true, can this be other than the once proud Lady Eleanore?

Fortunately, none of the Bernards appear to have seen this apparition, nor has the terrible story of Lady Eleanore found a place in the history, or even the traditions, of Massachusetts. Its events, had they been verified and officially recorded, would not have tended to the popularity of the next female relative of Governor Shute who appeared in the province. The basis of this so-called legend is to be sought in the fact that a severe epidemic of small-pox really visited Boston, and probably some other places, in 1721, under Shute's administration.[1] Six thousand persons were taken with the disease in Boston; nearly one thousand died within a year. Inoculation was introduced amidst 'violent and enormous opposition.'

Hawthorne has told one more weird tale, but of a far milder character than the former, regarding another alleged inmate of the Province House. There is a possibility that some slight foundation may exist for this legend; that a person of the name assigned may have been in the service of successive Governors; and, if so, she must have been resident in the mansion during the Administration of Governor Bernard, since she is supposed to remember so far back as the time of Governor Belcher. Hawthorne writes of this lady, in treating of a period some years subsequent to the departure of Governor Bernard, as

Old Esther Dudley, who had dwelt almost immemorial years in this mansion, until her presence seemed as inseparable from it as the recollections of its history. She was the daughter of an

[1] Ellis (George Edward), Vice-Pres. of Mass. Hist. Society, 'The Royal Governors of Massachusetts' (Winsor, *Mem. Hist. Boston*, vol. ii. ch. ii.).

ancient and once eminent family, which had fallen into poverty and decay, and left its last descendant no resource save the bounty of the King, nor any shelter except within the walls of the Province House. An office in the household with merely nominal duties had been assigned to her as a pretext for the payment of a small pension, the greater part of which she expended in adorning herself with an antique magnificence of attire.

The claims of Esther Dudley's gentle blood were acknowledged by all the successive Governors; and they treated her with the punctilious courtesy which it was her foible to demand, not always with success, from a neglectful world. The only actual share which she assumed in the business of the mansion was to glide through its passages and public chambers late at night, to see that the servants had dropped no fire from their flaring torches, nor left embers crackling and blazing on the hearths. Perhaps it was this invariable custom of walking her rounds in the hush of midnight, that caused the superstition of the times to invest the old woman with attributes of awe and mystery; fabling that she had entered the portal of the Province House, none knew whence, in the train of the first Royal Governor, and that it was her fate to dwell there till the last should have departed.[1]

Hawthorne does not suggest that Esther was a descendant or collateral relative of Governor Dudley, the immediate predecessor of Belcher, who was an American by birth, or of the earlier Governor of the same name, which might have been expected; but, whoever she was, if she existed at all, she must have been in frequent communication with Governor Bernard, and still more with his wife. There is a sequel to her history, which will be related in due time.[2]

And now, after recording the legends which owed their origin, or at least all their striking developments, to the imagination of a gifted writer, I come to the more prosaic subject of a tradition current in my own family, and which I received in my early years as a fact. This was to the effect that, in some tumult during the period of Governor Bernard's administration, he had been driven to conceal himself from the infuriated mob of Boston, bent on

[1] Hawthorne (Nathaniel), *Twice Told Tales*, 'Legends of the Province House,' iv.: 'Old Esther Dudley.'

[2] In ch. xxix. of this volume.

murder; and that these American patriots, unable to discover his retreat, forced themselves into the presence of his wife, and threatened, if she did not reveal her husband's hiding-place, to cut off her ears. The narrative further states that Amelia Bernard kept silence and endured the penalty; in other words, her ears were actually severed from her head by these ruffians.

This statement was certainly accepted in Buckinghamshire, where the Governor and his wife spent the last years of their lives; and I have heard from my father's second wife that her father, Mr. William Minshull, a son of Martha Rowland and grandson of Mrs. Beresford's friend, and a member of the Aston Clinton family, when dining at the Governor's house in Aylesbury, noticed that Lady Bernard (as she then was) wore her earrings suspended from a thread or cord, fastened apparently in her hair. The arrangement of the hair must have prevented him from ascertaining whether she had actually been deprived of her ears. Mr. Minshull was then very young, and no doubt the report had excited his curiosity.

Notwithstanding that I implicitly believed this tradition for many years, I have now come to look upon it as unsupported by any satisfactory evidence, and for several reasons as almost incredible. It is most difficult to understand how such an outrage could have been perpetrated on the wife of a Royal Governor without leaving any record in book, newspaper, or public document of any sort; yet I have never met with the slightest allusion to this supposed event. Moreover, the Governor never appears to have attempted concealment during any of the tumults which broke out in his period of office; had he done this, assuredly the opposition papers would have teemed with jeers at his cowardice. His most stringent measure of precaution was the sending his two daughters to a friend's house during a time of danger. Indeed, Mr. Bernard and his family seem to have been treated with comparative forbearance by the excited mobs, which wreaked their vengeance on the possessions, and sometimes on the persons, of native American officials.

Thomas Bernard asserts that his father declared himself free from any apprehension of violence. The 'Life of Sir Francis Bernard' was written after the death of the Governor, but no hint is given that he had seen any reason to alter his opinion on this subject.

Undoubtedly Thomas Bernard is a very reticent narrator. As a rule he omits domestic events, and does not even mention all the deaths in the family; yet he could hardly have given his father's testimony to American moderation in this particular, had his mother suffered as alleged. Still less could Julia, the chronicler of the home life, have passed over an event which must have filled her with horror at the time, as well as with admiration of her mother's fidelity and fortitude, and must also have made a deep and lifelong impression on her mind. Even if she had been spared the actual sight of the dastardly attack, its lasting results could not have remained unknown to her, or to any of Amelia Bernard's children. It is impossible to believe that a daughter would expatiate on the popularity of a parent she revered, without the slightest intimation that, in spite of the general regard for the Governor's wife, certain inhabitants of Boston had disgraced themselves by an act of barbarity.

That Mr. Minshull and others, apparently, observed Lady Bernard's peculiar mode of attaching her earrings is not such strong evidence on the other side as it might on first thoughts seem, since the Governor's wife is represented, in a miniature [1] taken before she went to America, as wearing those ornaments in the manner described above. It is a plausible conjecture that, by reason of her strict Puritanical education, or from personal dislike to the prevailing practice, she had not had her ears pierced in early youth, and that on her entrance into a wider sphere of society, having discovered that earrings formed an indispensable portion of a lady's adornment by the existing law of fashion, she had adopted a method of securing them which gave rise to the tradition.

[1] Last seen in the possession of Miss Spencer, of Oxford, formerly of Wheatfield, Oxon., a great-granddaughter of Amelia Bernard; now deceased.

How my father and Scrope Bernard's other children had learned that tradition I am unable to say; probably from the gossip of friends and servants. They—notably my father and his younger sister[1]—appeared by no means certain of its authenticity. This, of course, they could have ascertained from their father, their uncle Thomas, and aunt Julia, all of whom lived till they were of an age to inquire; but apparently the possibility did not strike them in time, or they did not venture on any startling questions, which in those days could not be lightly asked by young people of their elders.

I have been informed that a book exists which would throw much light on the life of the Governor's wife, if the work of a person in a position to know the facts and anxious to report them accurately. As I have not seen the book myself, I cannot speak positively about any of its contents; but, from the report made to me, it would seem to have been written by an American loyalist, in the assumed character of a sister of Lady Bernard, and to have contained an account of her sorrows and sufferings during the troubles at Boston. A copy was lent some years ago by the owner to an aunt and a cousin of mine, but they did not retain a very clear recollection of the contents. On a subsequent occasion, when a loan of it was asked for by other cousins, the owner was unable to find the volume. Had this book contained any mention of the outrage, it would at least have established the fact that this story was current in Massachusetts; but, on inquiry, it did not appear that my relatives distinctly remembered any such mention.

Silence, in a case of this description, if never broken, would of course tell strongly against the authenticity of the rumour accepted in Buckinghamshire as unquestioned truth; but, even at present, the greatest uncertainty characterises this hitherto unpublished 'Legend of the Province House.'

[1] Then Mrs. Glanville. It was to her, and Miss Spencer, her daughter by her first marriage, that the book mentioned below was lent by its owner, Mrs. Johnstone.

CHAPTER XX

INTRODUCTION OF THE NEW TAX

Shuffling Policy of the Earl of Shelburne—The Situation in Massachusetts—Governor Bernard's Bill of Indemnity for the Rioters disallowed in England—The Popular Party prepares for a Campaign against the New Tax—The Question of Paper-money—Josiah Quincy—Resistance to the Importation of British Goods—Attitude of the 'Patriots' to Governor Bernard—The Earl of Hillsborough appointed Secretary of State for the American Department—Samuel Adams's Efforts to keep up Popular Excitement—Governor Bernard urges the Policy of allowing American Representation—Joseph Warren's Libel—'The Sons of Liberty.'

THE approach of another annual election in May 1767 was the signal for renewed and increased activity on the part of the Opposition. Rumours of various kinds were rife; some of them, it would seem, put in circulation with a very definite purpose. Among other reports, it was 'insinuated that the Governor had been censured for the use of his negative'—censured, that is, by the British Government—and that he would not venture to exercise it again. That assertion was not founded on fact; neither censure nor approbation had been obtained, although Mr. Bernard had earnestly requested directions on that matter and other doubtful points, offering to attend in England, if it should be considered desirable, and explain the state of affairs to the Ministry. At this moment Mr. Bernard was suffering from a recent bereavement, his son Shute having died on April 5; but it does not appear that this sorrow had any effect in softening the rancour of political enmity. It is probable that he wrote to his old friend, Sir Eardley Wilmot,[1] then Chief Justice of the Common Pleas, with the hope of gaining information as to the legal aspect of his position,

[1] See vol. i. ch. viii. of this work.

and that the following passage, given by his son, was a portion of the answer:

'The great variety of business in which your Excellency has been engaged, and so ably acquitted yourself, must have appropriated all your time, and deprived your friends of the pleasure which will ever accompany a correspondence with you. I hope you will do me the honour of ranking me in that number, and that this mutual exchange of letters will operate as a remitter to the friendship of our younger years, which was laid in the durable materials of congenial sentiments, unadulterated by those motives which form connections in this factious and licentious age.'[1]

The rest of the letter is not quoted; no doubt because it was a private communication. But such kindly words were the more valuable that the Earl of Shelburne, Secretary of State, from whom Mr. Bernard then had to receive orders, instructions, and advice, was peculiarly unsympathetic and oracular. Shortly before the elections, the Governor wrote to this nobleman:

I have but one part to act, which is to keep to my purpose of defending the Government by the only means I have left; the use of my negative in the new election of counsellors. This is a disagreeable, difficult, and dangerous task; but I have no choice; to decline it is now to give up all. And though I have not had the satisfaction of receiving any testimonial of my former conduct in this respect being approved, yet I have no reason to think it has been condemned: and therefore I must act upon this as I did on the former occasion, according to what I truly think will be the best for his Majesty's service, without regard to myself; an alternative seemingly hard, but what I have been used to for above a year and a half past. Indeed, I have very little choice; where I have, if I know what conduct will be agreeable to your Lordship and his Majesty's Ministers, I will pursue it; where I do not know, I must do the best I can.[2]

A note to Hutchinson's History gives some idea of the shuffling policy of the new Secretary of State:

[1] *Life of Sir Francis Bernard.* 'Letter from Chief Justice Wilmot to Governor Bernard, dated 27th March, 1767.'

[2] *Ibid.* 'Extract from a Letter to the Earl of Shelburne, dated 4th of May, 1767.'

The Governor was fully persuaded that both Lieutenant-Governor and Secretary were designed by the charter to be of the Council, and that Mr. Mather, the agent, who was consulted in framing the charter, had fixed upon the number '28' in imitation of Lycurgus's senators, who were of a like number, and, being added to the two Kings, who only retained a voice with the other senators, made up thirty. He sent a representation of the affair to the Earl of Shelburne, then Secretary of State. His Lordship expressed his concern at the warmth discovered by the House of Representatives, his sense of the utility and propriety of admitting the Lieutenant-Governor to be present at the deliberations of the Council, his favourable opinion of the person at that time Lieutenant-Governor; but, after all, supposed the Council to have the best right to determine whom they would admit to be present at their deliberations. This was a sudden opinion. If the charter gave a right, the Council could not have a right to determine against it.[1]

It appears from Mr. Hutchinson's narrative[2] that the Governor went so far as to propose to the House of Representatives a compromise of their differences in the matter of elections. This was rejected; the Crown officials were excluded from the Council as before, and Mr. Bernard consequently vetoed five out of the six obnoxious members of the previous House. The sixth had been so moderate in his conduct during the period of exclusion that an exception was made in his favour.

The House then proceeded to challenge the Lieutenant-Governor's right to sit in the Council-room without being a member of the Board.

His assumption of his seat at the opening of this session [writes Thomas Bernard] was declared by the House of Representatives to be repugnant to the Constitution, and was adopted by the popular party as a cause of attack on the Government, and of censure on Mr. Hutchinson, for 'a new and additional instance of ambition and lust of power.' The Governor answered the message by directing the Secretary to search for precedents; who made his report, from whence it appeared that though there was no express authority in the charter, yet there were several precedents in justification of the Lieutenant-Governor's claim,

[1] Hutchinson, *Hist. Mass.*, note to ch. ii. [2] *Ibid.* ii.

and one contemporary with the charter itself. The House of Representatives, on receipt of a copy of his report, resolved, but not with any marked attention to the privileges of the Upper House, that 'The Lieutenant-Governor had no right to be present in the Council.'[1]

Such, however, was the esteem in which the excluded functionary was held, notwithstanding all differences, such, perhaps, also the influence still exerted by the Tories, that, a few days after accusing him of ambition and lust of power,

the same house of representatives, in conjunction with the Council, added another, though temporary, yet very important post, by electing him the first of three Commissioners empowered to adjust and settle a controversy long subsisting between the two Provinces of Massachusetts Bay and New York, respecting their boundary lines. This was the more observable, because it had long been the practice, with scarcely an instance to the contrary, to confer such places on such only as were members of one or other of the Houses of Assembly.[2]

Most persons were, indeed, thoroughly convinced of Mr. Hutchinson's ability and integrity, so that even agitators thought it well to employ him when he did not stand in the way of their schemes. Of the situation at this time the Lieutenant-Governor himself writes:

In Massachusetts Bay all parties continued to profess their obligations to adhere to the Constitution according to the charter. The popular branch of the Legislature had, however, acquired a much greater proportion of power than it ever possessed before. The House of Representatives had been continually increasing in number, every new town adding two members, if it thought fit to choose them. The civil officers, besides the councillors, were annually elected by the joint vote of Council and House. As the number of members in the House increased, its weight increased in proportion, the number of the Council continuing always the same.[3]

Apparently the numbers of the Council must have positively diminished in 1766, for a time at least, because the

[1] *Life of Sir Francis Bernard.*
[2] Hutchinson, *Hist. Mass.*, ch. ii. [3] *Ibid.*

House had refused to elect councillors in the place of the six negatived by the Governor. In two other respects the representatives made use of their increasing power:

If any controversy should arise between the several branches of the Legislature, to be decided in England, it seemed reasonable that each branch should be heard by an agent, in defence of its respective rights. In all matters which concerned the general interest of the province, an agent had always been appointed by the whole legislative power; until the House of Representatives refused to join with the other branches, and appointed an agent elected by themselves only. To him they had from time to time given instructions in matters which had respect to the general interest, without the privity of the other branches, and he had been allowed to appear at the boards in England; they had sent their delegates to join with delegates from other Assemblies; they had a standing committee, with power, after the prorogation of the Assembly, when the power of all committees ought to cease, to correspond with committees of other colonies in matters of general concernment; and though the following novelty cannot be mentioned as an instance of their assuming what they had no right to, yet it gave them great additional weight and influence over the people; they had caused a gallery to be built and opened that all persons who inclined to it might hear their debates; and a speech, well adapted to the gallery, was oftentimes of more service to the cause of liberty than if its purport had been confined to the members of the House.

At that period the public were not admitted to hear the debates of the British House of Commons.

The Governor had found great difficulty with regard to the compensation of sufferers in the late riots, and eventually the Legislature passed a Bill coupling with the compensation an act of indemnity to the offenders.[1] This he passed with some hesitation, because it came within the intentions of the British Government; but it was disallowed in England 'merely from the nature of it and the danger of establishing a precedent,' and the indemnity was re-granted by the King. The compensation also sanctioned had apparently been paid before an answer arrived from the Mother

[1] *Life of Sir Francis Bernard*; Hutchinson, *Hist. Mass.*, ch. ii.

Country, and the Bostonians had advanced so far in the path towards rebellion as to be careless about the Royal pardon, so this decision excited little attention. The public mind was then engrossed with the apprehension of taxation in a new form, the probability of which must have been publicly known about this time, although the Bill was not to take effect until November.

The principal objection to the Stamp Act [writes Thomas Bernard] was that it had been an internal tax, and on the face of it an Act of Revenue. This objection was avoided by an Act of Parliament passed in the spring of 1767, which for the declared purpose of providing a fund for the defence and government of the American colonies imposed a duty on glass, paint, tea, and paper to be imported into any part of British America; and before the passing of the Stamp Act it would have been received without objection, and carried into execution without difficulty. But the situation of America was now changed, and required other measures for ascertaining the respective rights, and for establishing the union of the two countries, before any further system of taxation should have been attempted. An American Board of Customs had at the same time been appointed, and destined to Boston, and some new regulations had been made for enforcing the Acts of Trade.

For instance, writs of assistance [1] were declared legal.

As might have been expected, the popular party occupied itself in preparing for a successful campaign against the new tax, the new board, and the new trade regulations. At the same time, it took up with considerable warmth the question of reviving a paper currency in Massachusetts. Benjamin Franklin, then accredited as agent for Pennsylvania in England,[2] asserts that, when the Chancellor of the Exchequer had gone through the particulars of his proposed American revenue to be raised by the new tax, Grenville rose to depreciate the scheme as trifling. '"And," says he, "I will tell the honourable gentlemen of a revenue that will produce something valuable in America. Make paper money for the

[1] Gilman, *The Story of Boston*, xxi., 'In the Grip of the Army.'
[2] *Autobiography of Benjamin Franklin.*

colonies; issue it upon loan there; take the interest, and apply it as you think proper."' This project was eagerly welcomed by the Opposition in Massachusetts, partly, no doubt, to annoy Hutchinson, partly as a speculation. Dennis de Berdt, recently declared by the House of Representatives its agent, or, rather, agent for the colony, without consultation with the Governor and Council, spoke even more strongly in its favour than Franklin.

Mr. Bernard's letter 'To the Earl of ——,' setting forth the other side of the question, is too long to admit of more than a few extracts being given.[1] He protests against the supposition that the colonists in general wished for the reintroduction of paper money. 'As this people have had full experience of the mischiefs of that currency, there is nothing they more dread than the return of it among them.' After explaining his motive for writing, he continues:

When I first came to America, as Governor of New Jersey, I was placed among paper-money the most creditable of any on the continent, never depreciated, and accompanied with a sufficient quantity of silver specie for external trade; and yet, through all this fair face, the ill consequences of those emissions were very apparent at no great distance. In the first place, there was no obligation for redemption at a certain time, notwithstanding instructions to Governors and clauses of bills in pursuance thereof. For before any set of bills were redeemable, another set of bills were emitted, with the usual clause of their being a general tender. They therefore were a tender at the Treasury for the redemption of expired bills. In vain, therefore, did the possessor of bills read upon the face of them that he was entitled to a certain quantity of silver; when he applied for it, he might be told that by subsequent laws the silver was turned into paper, and that he would have no right to insist upon being paid in specie whilst any emission of bills remained unexpired. This was generally understood to be the law; but it was certainly not so with regard to the possessors of the bills who were not subjects of the province, and therefore were not bound by the subsequent laws substituting new bills in lieu of the silver promised by old ones.

We read in the newspapers that the merchants of London,

[1] *Select Letters*, 'Letter XII. To the Earl of ——, Boston, Aug. 25, 1767.'

who solicit for leave to emit paper-money, propose that this paper-money shall not be a tender for debts due to British creditors. They are in the right to take care of themselves; but they should also have considered the propriety of their endeavouring to put others under dangers and difficulties which they protest against for themselves. If there is no danger of the paper-money, for which they solicit, depreciating, why won't they run the risk of it themselves? If there is a danger, why will they solicit it? . . .

I remember upon a time, when I had the honour to converse with the late Earl Granville, then Lord President of the Council, upon the subject of paper-money, his Lordship observed that enforcing its currency destroyed its credit; and added, that if bank bills, which were now current almost preferably to cash, were to be made by Act of Parliament a legal tender, they would immediately depreciate. This observation is at first very striking, and, when applied to the American paper-money, forms an argument that is unanswerable. Every State or corporation, as well as private person, has a certain quantity of credit, within which they can borrow any money they please. Every colony, I suppose, is at liberty to borrow money in this way; and so long as their credit keeps up their securities will circulate. But when they come to ask leave to enforce the circulation of such securities beyond their national credit, what is it but to oblige people to lend them money whether they will or not; or, in other words, to take from the people their money against their will? I have always thought that to oblige people to take paper instead of money, except under the exigencies of real necessity, is a very despotic act; and yet in America, because it has happened to coincide with the schemes and interests of the popular leaders, it seems to have changed its nature. What would be said if the Parliament of Great Britain should raise money by issuing notes enacted to be legal tenders?

It may be imagined that the re-introduction of paper-money was a scheme likely to approve itself to Samuel Adams. The agitation evoked by the new tax appears, however, to have delayed further attempts at tampering with the currency.

In the end of October [writes Thomas Bernard] a town meeting was called at Boston, and an agreement entered into, against the importation of certain British goods; and an unsuccessful application made to the Governor to convene the Assembly, 'as

measures were taking that might affect the rights, liberties and privileges, as well as the commercial interests of the province.' As a countervail to this non-importation agreement some successful negotiations were entered into by the friends of Government, and punctiliously observed by the popular party, for the peaceable and secure landing of the new Commissioners of the Customs, who were daily expected, and did arrive in the beginning of November. A trifling and unsuccessful attempt towards a disturbance was made on the 20th of November, the day on which the new duties were to commence; but it was not merely unsupported by the people, but reprobated by their leaders, and even by Mr. Otis himself. On the 30th of December, 1767, the Assembly upon their meeting required a copy of the new commission of the Board of Customs, and voted a letter to the Secretary of State, and an Address to the King, on the subject of the new Port Duties. This was followed by a circular letter to the Speakers of the other continental Assemblies, containing an abstract of their remonstrances on the late Acts, and expressing their desire that the other Assemblies would join with them.[1]

Hosmer gives a fuller account of the situation, always, of course, placing his hero in the foreground.

Now is it that still another of the foster-children of Samuel Adams emerges into prominence, the bright and enthusiastic Josiah Quincy, already at the age of twenty-three becoming known as a writer, who urges an armed resistance at once to the plans of the Ministry. It was the over-hasty counsel of youth, and the plan for resistance adopted by the cooler heads was that of Samuel Adams, namely, the non-importation and non-consumption of British products. From Boston out, through an impulse proceeding from him, town meetings were everywhere held to encourage the manufactures of the province and reduce the use of superfluities, long lists of which were enumerated. Committees were appointed everywhere to procure subscriptions to agreements looking to the furtherance of home industries and the disuse of foreign products.

But while some were watchful, others were supine or, indeed, reactionary. Pending the operation of the non-consumption arrangements, which were not to go into effect until the end of the year, a general quiet prevailed, at which the friends of the home Government felt great satisfaction. They declared that the

[1] *Life of Sir Francis Bernard.*

'faction dared not show its face,' and that 'our incendiaries seem discouraged,' and in particular they took much hope from the course pursued by James Otis. He, on the 20th of November, in town meeting, made a long speech on the side of the Government, asserted the right of the King to appoint officers of Customs in what number and by what name he pleased, and declared it imprudent to oppose the new duties. Of the five Commissioners of Customs, three had just arrived from England—the most important among them being Paxton, whose influence had been felt in the establishment of the board; Robinson and Temple were already on the ground.[1]

The other two Commissioners who arrived with Paxton were Hulton[2] and Burch; all appear to have been American born,[3] but were none the better liked on that account.

It must have been at the very time when Governor Bernard was anxiously preparing for the meeting of the Assembly that he received Lord Shelburne's approval of the negative, as exercised by him in the two previous Mays; but this was the only satisfactory part of the letter. In reply to his urgent appeal for definite instructions how to deal with the difficulties which were certain to be encountered, the Earl treated him to a series of vague generalities, of no practical use whatever, such as the following:

I am to inform you, Sir, that it is his Majesty's determined resolution to extend to you his countenance and protection in every constitutional measure that shall be found necessary for the support of his Government in the Massachusetts Bay. And it will be your care and your duty to avail yourself of such protection in those cases only where the honour and dignity of his Majesty's Government is really, either mediately or immediately, concerned.

It is unnecessary to observe that the nature of the English Constitution is such as to furnish no real grounds of jealousy to the colonies; and where there is so large a foundation of

[1] Hosmer, *Samuel Adams*, ch. vii., 'The True Sentiments of America.'

[2] Hutchinson, *Diary and Letters*.

[3] My information concerning Burch is inconclusive, however; his wife was evidently English.

confidence, it cannot be but that accidental jealousies must subside, and things again return to their proper and natural course. The extremes even of legal right, on either side, though sometimes necessary, are always inconvenient, and men of real property, who must be sensible that their own prosperity is connected with the tranquillity of the province, will not long be inactive, and suffer their quiet to be disturbed and the peace and safety of the State endangered, by the indiscretion or resentments of any.[1]

While Shelburne was thus dictating grandiloquent phrases for the Governor's edification, and, under cover of high-sounding words, reserving to himself the right of laying any amount of blame on the devoted head of the man who was left to battle with the storm, the Assembly met.

It was apparently the letter from Lord Shelburne, just quoted, which became the occasion of fresh trouble to Governor Bernard. The affair is not very fully stated by Mr. Hutchinson,[2] and writers on the other side no doubt have preferred not to mention it. But it would seem that the 'patriots' refused to believe in the Governor's veto having received the sanction of authority in England, and, by the advice of a majority of the Council, the Governor authorised the Secretary to read the letter before the House; and on further pressure granted the unusual favour of allowing a copy to be taken, with the express stipulation that no other copies should be made from that one. The House, however, became irate at the contents of the letter, and demanded from Mr. Bernard copies of certain letters, written by him, to which Lord Shelburne had alluded. On his refusal, the House—that is the 'patriotic' portion of it—used insulting language to the Governor, and wrote to the Secretary of State—this must mean Lord Shelburne—praying him to give orders that copies might be transmitted from England to be laid before the House.

The Governor required that this extraordinary missive should be shown to him before it was sent off. This was done

[1] *Life of Sir Francis Bernard.* 'Letter from the Earl of Shelburne to Governor Bernard, dated September 17 1767.'

[2] Hutchinson, *Hist. Mass.*, ch. ii.

only after considerable demur, and at the same time he was desired to send them copies of his letters if he wished to prevent its despatch. The message which contained this remarkable request also recited a great part of Lord Shelburne's letter, and the senders caused—or, at the very least, suffered—the message, including these passages from a document which the Governor had entrusted to them in the confidence that no copies would be taken, to be printed in the public newspapers.

With a House of Representatives thus constituted, it was needful for a Governor to be always on his guard; confidence, as Mr. Bernard had discovered, was misplaced; a frank, open course of conduct meant ruin. Neither was the peaceful temper of the popular party, as described by Hosmer in the following paragraph, so well established as it seemed; this calm demeanour covered plans of a nature to disturb the public tranquillity.

In their early meetings, while the province in general seemed quiet and the voice of Otis in Faneuil Hall advocated a respectful treatment of the board and a compliance with the regulations they were to enforce, they had some reason to feel that, in spite of the hot-headed boy Quincy, and Samuel Adams with his impracticable non-consumption schemes, the task of the Commissioners was likely to be an easy one.

Before the full effects of the new legislation could be seen Townshend suddenly died; but in the new Ministry that was presently formed Lord North came to the front, and adopted the policy of his predecessor, receiving in this course the firm support of the King, whose activity and interest were so great in public affairs that he 'became his own Minister.' As the business of the colonies grew every day more important, it was thought necessary at the end of the year to appoint a Secretary of State for the American department. For this office Lord Hillsborough was named, who had been before at the head of the Board of Trade. The new official did not hesitate to adopt aggressive measures, granting, for his first act, to the many-functioned Hutchinson a pension of two hundred pounds, to be paid by the Commissioners of Customs, through which he became in a measure independent of the people.[1]

[1] Hosmer, *Samuel Adams*, ch. vii., 'The True Sentiments of America.'

This arrangement was rendered advisable, and even necessary, by the enmity of the popular party to Hutchinson, which might at any time have deprived him of all salary if its payment continued to depend on the votes of the House, thereby combining an insult to the Government with an injury to the man. As to his many functions, Hosmer himself has stated elsewhere that, at all periods of his public life, they had brought him an amount of care and labour for which the emolument at the best of times was inadequate compensation.

Of the three men now leaders of the Assembly [continues Hosmer], Hawley lived at a distance, and was only occasionally in Boston, which became more and more the centre of influence. A certain excitability, moreover, which made him sometimes over-sanguine and sometimes despondent, hurt his usefulness. Otis, sinking more and more into the power of the disease which in the end was to destroy him, grew each year more eccentric. Samuel Adams, always on the ground, always alert, steady, indefatigable, possessing daily more and more the confidence of the province, as he had before gained that of the town, became constantly more marked as, in loyalist parlance, the 'chief incendiary.' Just at this time, in the winter session of the Legislature of 1767–68, he produced a series of remarkable papers, in which the advanced ground now occupied by the leaders was elaborately, firmly, and courteously stated.

Readers must judge for themselves whether these courteous utterances do not savour of that 'fox-like shrewdness' for which Hosmer elsewhere gives Samuel Adams credit:

The first letter adopted by the Assembly, January 13, 1768, is to Dennys de Berdt, the agent of the Assembly in London, and intended, of course, to be made public. The different members of the Ministry and the Lords of the Treasury were also addressed, and at last the King. There is no whisper in the documents of a desire for independence.

'There is an English affection in the colonists towards the Mother Country, which will for ever keep them connected with her to every valuable purpose, unless it shall be erased by repeated unkind usage on her part.'

The injustice of taxation without representation is stated at length, the impossibility of a representation of the colonies in Parliament is dwelt upon, and a voluntary subsidy is mentioned as the only proper and legal way in which the colonies should contribute to the Imperial funds. The impropriety of giving stipends to governors and judges independent of the Legislative grants is urged, and the grievance of the establishment of Commissioners of Customs with power to appoint placemen is assailed. No passage is more energetic than that in which the Puritan forefends the encroachments of prelacy.

'The establishment of a Protestant Episcopate in America is also very zealously contended for; and it is very alarming to a people whose fathers, from the hardships they suffered under such an establishment, were obliged to fly their native country into a wilderness in order peaceably to enjoy their privileges, civil and religious. Their being threatened with the loss of both at once must throw them into a disagreeable situation. We hope in God such an establishment will never take place in America, and we desire you should strenuously oppose it. The revenue raised in America, for aught we can tell, may be as constitutionally applied in support of prelacy as of soldiers and pensioners.'

And yet nothing could be more moderate than the schemes put forward in England as to American bishops. 'They were not to be supported by any tax; they were not to be placed either in New England or Pennsylvania, where non-Episcopal forms of religion prevailed, or to be suffered in any colony to exercise any authority, except over the members of their own persuasion.'[1] But the very mention of prelacy 'always produced such a storm of indignation in New England that it was speedily abandoned.'

While Samuel Adams was employed in keeping up the popular excitement, Governor Bernard made another attempt through Lord Barrington, who was in the Ministry, to impress the British Government with a sense of danger. In this long letter he urges the policy of allowing American representation.

When the great Man [he says] for whose political abilities I then had, and still have, the highest reverence [meaning, no doubt,

[1] Lecky, *A History of England in the Eighteenth Century*, vol. iv. ch. xi.

Lord Chatham] founded his impeachment of the power of Parliament to tax the Americans upon the want of American representatives, it appeared to me to be a stroke of refined policy. I considered this difficulty to be started in order to inforce the necessity of allowing the Americans to send representatives to Parliament. I considered not only the advantages which might arise from such an ordinance for the present, by removing all objections to the power of Parliament, but also the benefit which must arise for the future, by incorporating America with Great Britain in an union, which must more effectually prevent a separation than can be provided by any other means. If this purpose had been pursued to this conclusion, the author of it would have been deservedly esteemed the benefactor of both countries. Without this conclusion, it is not easy to see how this contravention of the authority of Parliament can be of service to either.[1]

Mr. Bernard believed, indeed, that the great body of Americans took little interest in the question, although the contrary was asserted by the Press.

The truth is, that though the leaders of the people set out with a view to obtaining a representation, and have never lost sight of it, it has but lately occurred to the people in general that this may be a probable consequence of their denying the authority of Parliament; the former have had no objection to being representatives, but the people have not as yet seen their interest in sending them.

For himself, he asserts 'the idea of it greatly enlarges my view of the grandeur of the British Empire,' and he reiterated that it might be the most effectual means of preventing 'so fatal an event' as dismemberment.

About this time, in January 1768, the Governor seems to have been allowed a comparative respite from annoyance.

The House [he writes to Lord Shelburne] from the time of opening the session to this day has shown a disposition to avoid all dispute with me; everything having passed with as much

[1] *Select Letters*, 'Letter XIII.—To the Lord —— —— (Viscount Barrington), Boston, January 28, 1768. This letter is mentioned in the *Life of Sir Francis Bernard*, and quoted as addressed to Lord Barrington.

good humour as I could desire, except only their continuing to act in addressing the King, remonstrating to the Secretary of State, and employing a separate agent.[1]

Their remonstrance even, he allows in another letter, showed 'temper and moderation,' and 'laid a foundation for removing some causes of former altercation.' Unhappily, this seems to have been merely the policy of the moment, and the Governor's words of commendation were turned against him when that policy was changed.

In February much time was consumed by the debates of the House on its 'Circular Letter' advocating combination against the policy of the English Government.[2] This letter was sent to 'each House of Representatives or Burgesses on the Continent,' meaning the continent of America. This, like the previous letters, is claimed by Hosmer as the work of Samuel Adams, although they have been often attributed to James Otis, and it has been asserted that he employed Adams only as his clerk. That Adams, at the very least, modified the utterances of Otis and gave them a practical form is, however, obvious.

The same month of February was still further signalised by the coming forward into prominence of yet another of the *protégés* of Samuel Adams, perhaps the ablest and most interesting of all, Joseph Warren, who, although for some years a writer in the newspapers, now at the age of twenty-seven made for the first time a real sensation by a vehement arraignment of Bernard in the 'Boston Gazette.'

In his uncompromising and melodramatic version of the affair, Bancroft[3] quotes the exact words of the libel. Warren 'exposed "the obstinate malice, diabolical thirst for mischief, effrontery, guileful treachery and wickedness" of Bernard. The Council censured the publication. The Governor called on the House to order a prosecution of the

[1] Gordon, *History of the Independence of the U.S.A.*, vol. i. Letter IV. The letters are dated January 21 and January 30, 1768.

[2] Hosmer, *Samuel Adams*, ch. vii., 'The True Sentiments of America.'

[3] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxi.

printers. The House, on 4th March, answered: "The liberty of the Press is the great bulwark of freedom."'

On proroguing the Legislature Bernard chid in public its leading members. 'There are men,' said he, 'to whose importance everlasting contention is necessary. Time will soon pull the masks off those false patriots who are sacrificing their country to the gratification of their own passions. I shall defend this injured country from the machinations of a few, a very few, discontented men.' 'The flagitious libel,' he wrote home, 'blasphemes kingly government itself,' but it was only a coarse sketch of his own bad qualities. 'I told the grand jury,' said Hutchinson, 'almost in plain words, that they might depend on being damned if they did not find against the paper, as containing high treason.' The jury refused. 'Oaths and the laws have lost their force,' wrote Hutchinson; while 'The honest and independent grand jurors' became the favourite toast of the 'Sons of Liberty.'

These 'Sons of Liberty,' who play a considerable part in the history of the period, formed, says Gilman,

a Society comprising about three hundred active patriots, many of whom were mechanics and labouring men, organised under sagacious leaders. This influential body was successful in arranging secret caucuses, preliminary to elections and celebrations, and in the 'Life of Samuel Adams,' by W. V. Wells (vol. i., p. 64), it is said that it went so far as even to issue warrants for the arrest of suspected persons.[1]

Wells, the writer of this statement, was a grandson of Samuel Adams.

But, after giving Bancroft's sensational account of the libel and its results, the Governor and Chief Justice should be allowed to tell their own tale. In his History, Mr. Hutchinson notes calmly and gravely the scenes just described:

While the Assembly was sitting, a most abusive piece against the Governor was published in the 'Boston Gazette.' The Council took notice of it, and advised the Governor to lay it before the two Houses by a message. The Council, in their address, pronounced it a scandalous libel upon the Governor. The House

[1] Gilman, *The Story of Boston*, xxi., 'In the Grip of the Army.'

was of opinion that, as no particular person, public or private, was named, it could not affect the majesty of the King, the dignity of the Government, the honour of the General Court, nor the true interest of the province, and that it was not proper to take any notice of it.[1]

The House of Representatives 'was grown thin,' the Opposition mustered in stronger numbers than the loyalists, and, as Mr. Bernard wrote in a letter to Lord Shelburne,

they laboured with all their might to prevent the paper being censured. It was debated a whole afternoon, and adjourned to the next morning, during which interval all the usual practices of tampering with the members were employed, and the next day upon a vote the consideration of the libel was dismissed. . . . The faction carried their points by small majorities; upon the last question the numbers were thirty-nine to thirty, the greater of which is about one-third part of the whole House; upon this occasion —— behaved like a madman; he abused everyone in authority, and especially the Council, in the grossest terms.[2]

The person designated by a blank is Otis, as appears in his biography by Tudor,[3] where this passage and the following are quoted and his name given. The Governor continues:

The next morning he came into the Council Chamber, before the board met, and having read the Council's address, he, with oaths and imprecations, vowed vengeance upon the whole Council at the next election, and told one councillor who happened to be there that he never should sit at that board after his year was out. This is the man who makes such a disturbance about my using my negative in the appointment of councillors, the annual election of whom is the canker-worm of the Constitution of this Government.

In another letter to Lord Shelburne Mr. Bernard says:

Since I wrote my last the Superior Court has been opened at Boston, upon which occasion the Chief Justice (Lieutenant-

[1] Hutchinson, *History of Massachusetts*.

[2] 'Extract of a Letter from Governor Bernard to the Earl of Shelburne, dated Boston, March 5, 1768.'

[3] Tudor, *Life of James Otis*, note to ch. xix.

Governor) made a long and forcible charge to the Grand Jury upon the subject of the libels published in the 'Boston Gazette,' and particularly that which has been lately animadverted upon by the Council. This so sensibly affected the Grand Jury and all the hearers of it, that it left no doubt in the mind of anyone present that the Grand Jury would find a bill against the printers. And they themselves had so little doubt of it, that as soon as they came out of Court they sent for the Attorney-General and directed him to prepare a bill against the next morning.

But in the interval the faction who conducts that paper was indefatigable in tampering with the jury, so that when the business was resumed the next day that bill was opposed so effectually, that it passed in the negative by a small majority, some say of one only. Upon this occasion the managers of the paper were seen publicly to haunt the Grand Jurymen wherever they went.

Sensible people who have a regard for their country are much concerned at this defeat of justice. They say that it is a symptom of such extreme weakness in the Government, that it affords little hope of its recovery. And, indeed, I do not expect the Government will ever recover its authority without aid from superior powers. . . . The Council, which formerly used to be revered by the people, has lost its weight, and notwithstanding their late spirited exertion is in general timid and irresolute, especially when the annual election draws near.[1]

Mr. Bernard, however, praises the fidelity of the Council as remarkable under the circumstances. Of his Chief Justice he says: 'I can depend upon his resolution and steadiness as much as I can upon my own, and am assured that there will be no want of a due enforcement of the laws to the correction of the present abuses.' Calmly as the Governor writes, Hosmer, who makes light of the daring attack, and still more daring support afforded by the House, says:

The sensitive Governor, touched to the quick by the diatribe, for such it was, and unable to induce the Legislature to act in the matter, prorogued it in a mood of exasperation not at all surprising; not however until a series of resolutions had been

[1] *Letters to the Ministry:* 'Extract of a Letter from Governor Bernard to the Earl of Shelburne, dated Boston, March 12, 1768.'

reported by a committee of which Otis and Adams were members, discouraging foreign importations and stimulating home industries. These were passed with no dissenting voice but that of stalwart Timothy Ruggles, who, having honestly espoused the cause of King and Parliament, opposed himself now to the strong set of the popular current, careless of results to himself, with the same soldierly resolution he had brought to the aid of Abercrombie and Sir Jeffery Amherst in the hard fighting of the old French war.[1]

It was during this session of the House, after Major Hawley had held forth on the necessity of representation to render taxation allowable, that General Ruggles observed: 'As they were desirous of sending members to Parliament, and there was no doubt but that Great Britain would indulge their wish, he would recommend a merchant, a friend of his, who was ready to transport their representatives to England for half what they would sell for when they got there.'[2]

[1] Hosmer, *Samuel Adams*, ch. vii., 'The True Sentiments of America.'

[2] *Life of Sir Francis Bernard.* This rejoinder is also mentioned by the Governor in a letter to Lord Barrington; he there ascribes it to 'an old member whose name and character are well known in England.' In the *Life*, General Ruggles is mentioned by name.

CHAPTER XXI

CONSEQUENCES OF THE NEW TAX

Boston again in Revolt—Lord Hillsborough succeeds Lord Shelburne—Objects of the Popular Fury—Governor Bernard protests to Lord Hillsborough against the Breaches of Faith towards him—Mr. Hutchinson again excluded from the Council—Dr. Gordon's Account of the Seizure of the Sloop *Liberty*—Violence of the Mob—Commissioner Temple—The Impressing of Seamen—The British Government orders the Resolution against the Importation of British Goods to be rescinded—The Assembly declines to rescind—The Assembly dissolved—Commodore Hood's Opinion on the Situation—Differences of Opinion in England.

It must astonish everyone who realises the antipathy of the Bostonians to the Custom House and everything connected with it that the British Government should have risked appointing Commissioners to superintend the introduction of the new tax without taking stringent measures for their support in the execution of their duties. The slightest attention to advices received, describing the increased boldness of the popular attitude, might have prevented this mistake. No doubt there were many minds in England, and the result was confusion. The excited state of public feeling drove out the Chatham Ministry in December 1767, but before the Grafton Ministry could do anything—before, indeed, it could agree as to what ought to be done—Boston was once more in revolt.

Thomas Bernard says that

> the winter had passed with some degree of alarm to the Commissioners of the Customs. Tumults originating in caprice, and designed for intimidation, had occasionally interrupted the peace of the town. The Commissioners applied to the Governor, who informed them—what indeed was sufficiently and generally understood—that the Government of that province was in a state perfectly defenceless.[1]

[1] *Life of Sir Francis Bernard.*

As the year advanced these tumults became alarming. The Earl of Hillsborough, previously First Lord of Trade, had now succeeded the Earl of Shelburne in the management of American affairs.[1] This change, which was not precisely coincident with the change in the Ministry, but which took place in January 1768, was not known to Governor Bernard in March, when he despatched the letter quoted in the last chapter and two other letters containing accounts of disturbances in Boston, and they are consequently addressed to Lord Shelburne. A portion of each of these two last-mentioned letters is here transcribed. On March 21 Mr. Bernard writes:

About the middle of February one Malcom, a trader, who about eighteen months before made himself famous by a violent and riotous resistance to the Custom-house officers endeavouring to search his house for uncustomed goods (of which there is a very full account in your Lordship's office), expecting a schooner laden with Fyal wines to come in, asked an officer of the Customs what indulgence he might expect in regard to the duties. The officer answered him, None at all; he must pay the whole duties. Malcom replied, he was glad to know what he had to trust to. Some days after the schooner came in, and was ordered to anchor among the islands five miles below the town. From thence the cargo, consisting, as is said, of above sixty pipes of wine, was landed in the night and carried in drays to different cellars, each load being guarded by a party of men with clubs. This business employed a number of men the greatest part of the night, and was as notorious, by the noise it occasioned for many hours together, as if it had been done at noonday. The lading of the schooner was also publicly known and talked of long before she arrived. She appeared plainly when she came up to town, by well-known marks, to have been lightened a yard or more, and was evidently too light to bear the sea. Nevertheless, the master went to the Custom-house and swore that she came from Suranam in ballast, and had landed nothing since she left that port.

Two or three days after, this Malcom procured a meeting of some merchants and traders, at which he presided. Their deliberations were sanguine, and full of high pretensions; but

[1] The dates and other particulars of the 'Chatham' and 'Grafton' Administrations are taken from Haydn's *Dictionary of Dates*.

nothing was determined upon but to call a general meeting of the merchants on Friday, March the 4th. This may be said to be the first movement of the merchants against the Acts of Parliament; all the proceedings before were carried on at town meetings, and were rather upon refinements of policy than concern for trade. There never was less reason for the merchants to complain of the regulations of trade than at present; there never was a greater plenty of money, or a more apparent balance of trade in their favour, of which the state of exchange with London, which now is and for a long time has been at par, is an irrefragable evidence. However the merchants are at length dragged into the cause; their intercourse and connections with the politicians, and the fear of opposing the stream of the people, have at length brought it about against the sense of an undoubted majority both of numbers, property and weight. Accordingly the result of this meeting was, that a subscription for not importing any English goods, except for the fishery for eighteen months, should be prepared and carried round the town, and a committee was appointed for that purpose. This was the same night that the little mob with the drum passed by the Town-house.[1]

In the next paragraph Mr. Bernard says: 'There are still remaining enough of the most respectable merchants in the town, non-subscribers, to defeat this scheme.' The allusion to 'the little mob with the drum' refers to a letter written two days before, of which a portion will now be quoted. It is here utilised after its successor, because the latter gives information of events which took place in February; whereas the previous letter contains a narrative of proceedings in March only:

It is some time since there have been frequently reports of insurrections intended, in which it has been said the houses of one or more of the Commissioners and their officers would be pulled down; two were more particularly fixed upon. Upon one of these nights a number of lads, about a hundred, paraded the town with a drum and horns, passed by the Council Chamber whilst I was sitting there in Council, assembled before Mr. Paxton's (a Commissioner's) house, and huzza'd, and to the number of at least sixty lusty fellows (as I am assured) invested

[1] *Letters to the Ministry*: 'Extract of a Letter from Governor Bernard to the Earl of Shelburne,' dated Boston, March 21, 1768.

Mr. Burch's (another Commissioner's) house for some time, so that his lady and children were obliged to go out at the back door to avoid the danger which was threatened. This kind of disturbance was kept up all the evening, and after all was treated as the diversion of a few boys, a matter of no consequence. This was, I think, on March the 4th.

After this it was reported that the insurrection was postponed till March 18, which was the anniversary of the repeal of the Stamp Act, upon which day effigies were to be exhibited, and two persons, Mr. Paxton, a Commissioner, and Mr. Williams, one of the inspectors-general, were mentioned as devoted to the resentment of the mob. I took all the pains I could to discover the truth of this report, but could get no other answer but assurances that no such thing would be done or suffered. On the very day before I spoke with the most knowing men I could procure, who were very positive that no effigies would be hung up, and yet late that evening I had certain advice that effigies were prepared; but it was too late to do anything, and my information was of that nature I could not make use of it in public.

Early the next morning the Sheriff came to me to inform me that the effigies of Mr. Paxton and Mr. Williams were hanging upon Liberty Tree. I had the day before appointed a Council to meet, and I now sent round to get them together as soon as possible it might be. Before I went to Council I learned that the effigies had been taken down by some of the neighbours without opposition.

At Council I set forth in strong terms the atrociousness of the insult, the danger of its being followed by actual violence, and the necessity there was of providing for the preservation of the peace of the town. But all I could say made no impression upon the Council; they persevered in treating the affair as of no consequence, and assuring me that there was no danger of any commotion. After they had given their opinion as in the enclosed copy of the minutes, I received a letter from the Commissioners, setting forth the insult they had received, the danger they apprehended, and desiring the protection of Government. I communicated this to the Council, and proposed that they should reconsider this business; but finding them not inclined to depart from their opinion as before given, I adjourned the reconsideration till the afternoon. In the afternoon, upon the question being put to them again, they adhered to their former opinion.

I should have mentioned before, that under all these assurances I had, that there would be no disturbances, it was never

understood that the day [*sic*] the anniversary of the repeal of the Stamp Act should not be celebrated; accordingly at break of day there were beating of drums and firing of guns heard, and the whole town was adorned with ships' colours, and to add to the celebration, the feast of St. Patrick, being the day before, was postponed to this day.

However, great pains were taken by the selectmen of the town and some other gentlemen that the festivity should not produce a riot in the evening, and so far it succeeded that it produced terror only, and not actual mischief.

There was a number of gentlemen dined at two taverns near the Town-house on the occasion of the day. These broke up in good time; after which many of the same and other gentlemen kept together at the coffee-house (one of the taverns) all the evening. These prevented the lighting a bonfire in that street, which was several times attempted, and would probably have been a prelude to action. But the assembling a great number of people of all kinds, sexes, and ages, many of which showed a great disposition to the utmost disorder, could not be prevented. There were many hundred of them paraded the streets with yells and outcries which were quite terrible. I had in my house Mr. Burch, one of the Commissioners, and his lady and children, who had the day before moved to our house for safety.

I had also with me the Lieutenant-Governor and Sheriff of the county. But I had taken no steps to fortify my house, not being willing to show an apprehension of danger to myself. But at one time there was so terrible a yell from the mob going by, that it was apprehended that they were breaking in, but it was not so. However, it caused the same terror as if it had been so: and the lady, a stranger to this country, who chose our house for an asylum, has not recovered it as yet. They went on and invested Mr. Williams's house, but he showed himself at a window, and told them that he was ready for their reception, and they went off, and either did not intend or dared not to attack his house. They also at two different times about midnight made outcries about Mr. Paxton's house, out of mere wantonness to terrify his family. The whole made it a very terrible night to those who thought themselves objects of the popular fury; and yet if I should complain of it, I should be told that it was nothing but the common effects of festivity and rejoicing, and there was no harm intended.[1]

[1] 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Shelburne, dated Boston, March 19, 1768.'

Bancroft, as a matter of course, throws contempt on the foregoing account.

The Governor endeavoured to magnify 'the atrociousness of the insult,' and to express fears of violence; the Council justly insisted there was no danger of disturbance. The day was celebrated by a temperate festival, at which toasts were drunk to the freedom of the Press; to Paoli and the Corsicans; to the joint freedom of America and Ireland; to the immortal memory of Brutus, Cassius, Hampden, and Sydney.[1]

On the other hand, Julia Bernard, then aged eight, has recorded her personal experience of the danger in a few simple lines.

An officer of the Customs, Mr. Burch, had rendered himself obnoxious to those lawless people by the discharge of his duty. My father gave him, his wife and children, an asylum in his house. One night the mob in a most furious humour beset the house, filled the court before it, and threatened my father if he did not give up the persons he protected; he positively refused, and warned them of the evil consequences of forcing his doors and being guilty of violence. We were all in a state of great terror for a considerable time; at length they dispersed; soon after, myself and my sister were sent privately at night to the house of a friend, where we remained some days.[2]

Lord Hillsborough, on becoming Secretary of State for American affairs, notified his appointment to Governor Bernard, especially urging him to write fully and freely concerning the state of his province. The Governor took this opportunity of protesting against the breaches of faith which had brought on him so much care and trouble. He writes:

Upon a view of this subject, it can scarcely escape your Lordship's penetration that the public use which had been made of the letters of Governors must tend to destroy that confidentiality in informing the Ministers which is so necessary to the service. The communicating them to Parliament was unavoidable, though it might have been done with more regard to the safety of the writers than was then shown; but the suffering copies to be taken

[1] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxi.

[2] In her 'Reminiscences.'

and published in newspapers and pamphlets has done much hurt to the King's service, as well by furnishing factious men with matter to abuse Government as by discouraging Governors from writing freely for the future.[1]

Lord Hillsborough took this protest in good part, and would no doubt have afforded the Governor effectual aid against malpractices had it been in his power. He was of one mind with Mr. Bernard in his dislike to the Stamp Act, against which he had from the first given his advice, and which he had always declined to support; throughout his life he continued to entertain a high opinion of the Governor.

In the election of this year Mr. Hutchinson was again excluded from the Council, by three votes only.[2] This untoward result was achieved through the denunciations of Otis, who held him up to reprobation as a 'pensioner of the Crown' on account of the recent grant of a salary.

The first decided affront shown to the Commissioners came from that company of cadets which, ever since it had been raised by Governor Burnet, had formed the bodyguard of the Royal Governors. On the mere supposition that the Commissioners would be invited to dine with the Governor and Council on the day of election, its members passed a vote that they would not attend if such were the case. 'The affront,' says Mr. Hutchinson, 'was greater to the Governor than to the Commissioners, but such was the state of the province that he did not think it advisable to show that resentment which otherwise he would have done.' John Hancock was then commander of the corps.

Every encouragement having been offered by the British Government to rebellion, it is not surprising to learn that the disturbances soon assumed a serious aspect. Mr. Bernard continued to write freely, at his own peril,

[1] 'Letter of Governor Bernard to the Earl of Hillsborough,' dated 'May 12, 1768.' Quoted in Thomas Bernard's *Life of Sir Francis Bernard.*

[2] Hutchinson, *Hist. Mass.*, ch. ii., from which also the information in the succeeding paragraph is derived.

concerning the growing excitement. On June 11 he sent Lord Hillsborough the following report:

> I am sorry to inform your Lordship that a great riot happened in this town last evening, which had very bad consequences, though happily there were no lives lost. The Collector and Comptroller of this Port seized a sloop for openly and forcibly landing a cargo of wines without paying duty, and, by means of assistance from the *Romney* man-of-war, secured her.[1]

This vessel was 'the sloop *Liberty*, belonging to John Hancock.' Before proceeding with the Governor's letter Dr. Gordon's vivid account of the affair will be quoted. As a favourer of the American malcontents, Gordon has not of course exaggerated their lawlessness, and the case derives interest from the fact that John Hancock, the owner of the sloop, and of course the mainspring of the resistance, was in after years the first Governor of Massachusetts under the revolutionary settlement.

It had been the common practice for the tide-waiter, upon the arrival of a vessel, to repair to the cabin, and there to remain drinking punch with the master while the sailors and others upon deck were employed in landing the wines, molasses, or other dutiable goods. The Commissioners of the Customs were determined that the laws of trade should be executed.

Upon the arrival of Mr. Hancock's sloop *Liberty*, Nathaniel Barnard, master, from Madeira, the tidesman, Thomas Kirk, went on board in the afternoon. Captain Marshall, in Mr. Hancock's employ, followed, and about nine in the evening made several proposals to Kirk, which being rejected, Captain Marshall, with five or six others, laid hold of, overpowered, and confined him below for three hours, in which time the wine was taken out, before entry had been made at the Custom House or Naval Office. Marshall threatened Kirk in case of discovery. The captain wrought so hard in unloading the sloop that his sudden death that night, while in bed, before assistance could be obtained, was generally believed to have been owing to some injury received from his uncommon exertions. The next morning the master entered, as it is said, four or five pipes, and swore that was the

[1] 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough,' dated Boston June 11 and 13, 1768.

whole of his cargo. It was resolved to seize the sloop for a false entry's [*sic*] being made; though it was thought by many that no one would undertake the business.[1]

The bold deed was, however, achieved, as already stated, by 'Mr. Joseph Harrison, the collector, and Mr. Benjamin Hallowell, the comptroller.' 'The *Romney*,' writes Governor Hutchinson, 'had arrived from Halifax a few days before the seizure. It was suggested that she had been sent in consequence of an application from the Commissioners.'[2] Indeed, this fact is admitted by Commodore Hood in a letter to Mr. Grenville;[3] but there was an additional motive for the coming of the vessel, which led ere long to further complications; she was short of hands, and it was desirable to make up her number. To resume the narrative, as told in the Governor's letter to Lord Hillsborough, from the time the collector and comptroller landed:

Upon their return home they were attacked by a mob with clubs, stones, and brickbats. Mr. Harrison, the collector, was much bruised, particularly in the breast, but kept his legs so as to escape through an alley. Mr. Hallowell, the comptroller, was knocked down, and left on the ground covered with blood. He has many wounds and bruises, but none dangerous to life. Mr. Harrison's son, a young gentleman not in any office, who accompanied his father, was knocked down and dragged by the hair of his head, and would have been killed if he had not been got into a house by some standers-by. In another part of the town Mr. Irvine,[4] under the Board of Commissioners, was attacked by another mob, very much beat and abused, and would probably have been killed if he had not been rescued by two of the mob, and enabled to escape through an house.[5] This gentleman was noways concerned in the seizure.

After this they went to Mr. Hallowell's house, and began to break the windows and force an entry, but were diverted there-

[1] Gordon (William, D.D.), *The History of the Rise, Progress, and Establishment of the Independence of the United States of America.*

[2] Hutchinson, *Hist. Mass.*, ch. ii.

[3] *The Grenville Papers*, Letter IV. September 14, 1768.

[4] This name is spelt 'Irving' by Gordon.

[5] Dr. Gordon admits that the injured gentlemen 'all escaped with the utmost hazard of their lives.'

from by assurances that Mr. Hallowell was almost killed, and was not at home. They then went to Mr. Harrison's and broke his windows, but he not being at home, and the owner of the house entreating them to depart, they left it. Then they went to Mr. Williams's house, one of the Inspectors-General, who was then at a distance from Boston, and broke near an hundred panes, and did other damage to the house; but upon Mrs. Williams appearing and assuring them that he was absent, and only she was at home, they departed. Happily they did not break into any house, for if they had got at a cellar the mischiefs would have been greater and more extensive.

After this they went to a wharf where lay a pleasure-boat belonging to Mr. Harrison, built by himself in a particular and elegant manner. This they took out of the water, and carried it into the common, and burnt it. By this time there were about 500, some say 1,000, men gathered together whilst the boat was burning. Some gentlemen, who had an influence over them, persuaded them to depart; this was debated and put to the vote, whereupon proclamation was made, 'Each man to his tent.' Before this they were harangued by a leader, who, among others, used these words, as they have been reported to me: 'We will support our liberties, depending upon the strength of our own arms and God.' Whilst they were upon the common they got some rum, and attempted to get more; if they had procured it in quantity, God knows where this fury would have ended. And now the terror of the night is over, it is said to be only a prelude to further mischiefs, the threats against the Commissioners and all the officers of the board being renewed with as great malice as ever.

This morning I got the Council together as soon as I could, and laid this affair before them; after a long altercation about what should be done, in which appeared a disposition to meddle with it as little as possible, it was advised and ordered that such of the Council as were Justices of the Peace should assist me in ascertaining the facts by the examination of witnesses, and Monday morning at nine o'clock is appointed for proceeding upon this business. When this is done I shall be able to give your Lordship a more full and particular account of this affair. At present what I send is only the heads of it, which I dare say will not vary materially from the most authentic narrative. And I write this at present in order to send it by the post to New York, to take the chance of the packet, which it will probably just hit the time of.

The depositions of the Commissioners so fully corroborate Governor Bernard's relation, that to give them here would be mere repetition;[1] but the Governor, unluckily, could not take any steps to punish the delinquents and preserve order for the future without the co-operation of his Council, which made light of the disturbances, interposed delays, and in fact evidently intended to do nothing. Consequently the new Commissioners desired that Captain Corner would allow them and their servants to take refuge on the *Romney*, whither, two days later, they ordered the money of the Crown to be sent, in the custody of the persecuted Collector and Comptroller. Thence they wrote to the Governor asking for protection, and were soon housed by his permission in Castle William.

About this time Commissioner Temple severed himself from his colleagues as far as possible. He had been Surveyor of Customs previous to the appointment of the new board, in which capacity he had opposed the Governor's efforts to put down smuggling; and he regretted his former post and the old system. He was married to a daughter of Mr. Bowdoin, already mentioned, a Whig member of the Governor's Council, of Huguenot descent; and, according to Mr. Hutchinson, it was through his influence that his father-in-law, perhaps without much persuasion, became prominent in opposition. When the other four Commissioners had taken up their residence at the Castle, and held their board there because, as they had represented to the Governor, it was impracticable to exercise any function of their office in the town, Temple occasionally went from Boston to attend the sittings.

Apparently the post to New York was delayed, for the Governor added a postscript to his letter on the 13th, stating that he had, at the request of the Commissioners, given orders that their families and officers should be sheltered in the Castle, and continued:

> This morning a paper was found stuck upon Liberty Tree,

[1] 'Memorials of the Commissioners of the Customs in North America,' in Appendix to Governor Bernard's 'Letters to the Ministry.'

inviting all the Sons of Liberty to meet at six o'clock, to clear the land of the vermin which are come to devour them, &c., &c. I have been in Council all this morning to consider of preventing an insurrection to-night; no resolution has or will be taken before I send away this. Perhaps the Commissioners retiring may assist our purposes.

By the next letter[1] it appears that one of the Commissioners 'was by name devoted to death' in this 'violent and virulent paper.' There were also some indecent threats against the Governor if he did not procure the release of the sloop which was seized. 'In the afternoon,' adds Mr. Bernard, 'as I came to the Town-house, where the Council-chamber is, I found several handbills which have been circulated round the town stuck up there.' These contained invitations to a meeting 'at Liberty Hall under Liberty Tree on Tuesday, the 14th instant, at ten o'clock in the forenoon precisely.'

It seems almost incredible that Bancroft, writing in the nineteenth century, with ample evidence as to the outrages committed, should choose to endorse the version given out by the House of Representatives as to the tumults of June 10, describing them as wholly insignificant. But so it is. He says:

> A crowd of boys and negroes gathered at the heels of the Custom-house officers, and threw about stones, bricks, and dirt, alarming *but not hurting them.* A mob broke windows in the house of the Comptroller and of an Inspector, burned a boat of the Collector's on Boston Common, and at near one o'clock dispersed.[2]

He represents the Commissioners' panic as the effect of their deplorable cowardice.

The excitement of the moment was, unfortunately, increased by the knowledge that Captain Corner had come to Boston intending to press seamen for the *Romney*. This practice, which now strikes us as tyrannical and cruel, was

[1] 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Roxbury, near Boston, June 14, 1768.'

[2] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxii.

then matter of common usage in England; but the Bostonians challenged its legality in Massachusetts. During Governor Shirley's administration it had caused a riot, and had probably not been heard of since that time.[1] An impressed man was rescued on June 10, the very day that John Hancock's sloop was seized, and the popular leaders added his seizure to their list of grievances. Governor Bernard, indeed, states that he had settled with Captain Corner 'a regulation for impressing men, so that it might not hurt the town; . . . only there happened to be one single breach of it by an inferior officer against his orders.'[2] But this was sufficient excuse for agitation, although the man then seized had been set free.

On the morning of June 14 about four thousand persons assembled at 'Liberty Hall,' a name given to the ground under 'Liberty Tree,' which was now adorned by an inscription and a signal-flag run through the tree and towering above it.

> This tree [writes the Governor] has often put me in mind of Jack Cade's Oak of Reformation. . . . In the afternoon [he continues] they met in a large meeting-house, the Town-hall being not large enough for the company, and Mr. Otis was chosen Moderator. Many wild and violent proposals were made, but warded off.

Hosmer says that

> the people thronged to town-meeting [*sic*], which, as usual, when the numbers overflowed, flocked from Faneuil Hall to the Old South. As James Otis entered he was received with cheers and clapping of hands; he was made moderator by acclamation, and presently was storming magnificently before the enthusiastic audience.[3]

[1] Accounts of these transactions may be found in histories of the time variously coloured.

[2] 'Letters to the Ministry.' Bancroft, indeed, says that Captain Corner had 'forcibly and insolently impressed New England men returning from sea.' It is, however, not credible that he should have impressed Boston men after his conference with the Governor, except the single case mentioned, which was a mistake.

[3] Hosmer, *Samuel Adams*, ch. viii., 'The Arrival of the Troops.'

It was decided that a committee of twenty-one persons should wait on the Governor at his country house with a petition.

The same evening [writes Governor Bernard to Lord Hillsborough] the committee, which was in general very respectable, attended me in a train of eleven chaises. I received them with all possible civility, and having heard their petition, I talked very freely with them upon the subject, but postponed giving a formal answer till the next day, as it should be in writing. I then had wine handed round, and they left me highly pleased with their reception, especially that part of them which had not been used to an interview with me. The next day Mr. Otis, having received my answer in writing, reported the whole, took notice of the polite treatment they received from me, and concluded that he really believed that I was a well-wisher to the province; this from him was uncommon and extraordinary. The answer was universally approved, so that just at this time I am popular; whenever my duty obliges me to do anything which they don't like there is an end of my popularity, and therefore I do not expect to enjoy it a week.

Samuel Adams, the principal wirepuller throughout this agitation, who formed one of the deputation to the Governor at Roxbury, held much the same opinion of the popular temperament. Some time in the course of this same year he exclaimed, '"I am in fashion and out of fashion as the whim goes."'[1]

It is doubtful if Mr. Bernard enjoyed his popularity a week. He went on board the *Romney* on the following day, accompanied by three of his Council. Of Captain Corner he says that 'the mob of the town had lately used him and his officers so very ill that he was disengaged from any promise he had made, if he had desired it,' adding that 'he acted with the utmost candour and good nature; and after recapitulating the injuries he and his officers had received, renewed the engagement concerning pressing, and professed a desire of making that service agreeable to the town.' On his return the Governor exhorted the select-

[1] Hosmer, *Samuel Adams*, ch. viii., 'The Arrival of the Troops.'

men, the only persons apparently who had any influence in preserving order, to dispose the minds of the people to a proper treatment of the officers and sailors. The report of this negotiation on board the *Romney* gave satisfaction to the town meeting, but failed to elicit any expression of thanks to either Governor or captain. Matters were, however, now placed on a comparatively peaceful basis, when, most unluckily, the scarcely established harmony was marred by fresh orders from England.

The very day after these arrangements were completed Mr. Bernard received strict injunctions from the British Government to insist that the Assembly should rescind its resolution of February 11 against the importation of English goods, and in case of a refusal to dissolve it. And this was the signal for fresh trouble.

The Governor waited until the following Friday (June 21) to deliver this command, in order to give the Assembly a chance of regaining its composure before he began to deal with this new difficulty. Considerable excitement was, of course, produced. Mr. Bernard wrote to Lord Hillsborough: 'In the afternoon, when the messages, &c., were read a second time, —— —— made a speech near two hours long, of the most violent and virulent nature. He abused all persons in authority both here and at home; he, indeed, excepted the King's person, but traduced the Government with all the bitterness of words.'[1] The person whose name the Governor forbore to publish was James Otis, as appears in his biography by Tudor, where this letter is quoted. 'In another part of his speech he passed an encomium on Oliver Cromwell, and extolled the times preceding his advancement, and particularly the murder of the King.'

The question raised by the new order was vehemently debated for the space of a fortnight; after which the House came to a resolution not to rescind, whatever might be the consequences, by a majority of ninety-one to seventeen, and

[1] 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated June 25 and 28 and July 1, 1768.'

followed up this decision by a motion for a committee to prepare an address to the King, desiring him 'to remove the Governor and to appoint another more agreeable to the people,' which was carried by fifty-eight votes against fifty-three. At this result Mr. Bernard was scarcely surprised. He writes: 'This is the third time the faction has moved to impeach me; the two former times they had been obliged to give it up for want of materials, and I was sure they had acquired none since their last attempt of the kind. And this motion ended in the same manner as the two former.' He left the committee free to deliberate, somewhat to its disappointment, until the House sent up its resolution not to rescind, and then, in obedience to his instructions, prorogued, and afterwards dissolved it. But at the same time he expressed his willingness to forward a petition to the King, on the subject of the new duties and regulations, provided it was drawn up in proper terms, and he even so far endorsed it as to write to Lord Hillsborough:

> I have always been tender in expressing my disapprobation of Acts of Parliament, and was so especially in a case where I thought the Act had better have been spared. But I can readily recommend that part of the petition which prays relief against such Acts as are made for the purpose of drawing a revenue from the colonies. For they are so little able to bear the drawing money from them, that they are unable at present to pay the whole charge of their support and protection.[1]

Mr. Hutchinson has fully and emphatically vindicated the Governor's forbearance in this affair. He was bound by the signification of the Royal pleasure through the Secretary of State, although the House chose to consider that this did not constitute a Royal order.

> And, for the execution of his order [continues the Lieutenant-Governor], it could not have been in any way more indulgent. His friends thought exception would be taken in England to his

[1] 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, July 16, 1768.' Quoted in *Life of Sir Francis Bernard.*

delay. He waited eight or nine days for an answer, which he might have expected in two or three. That the people might suffer as little as possible, he informed the House that he should not think himself at liberty to call another Assembly without leave from the King, and therefore recommended to them to complete such business as was then in their power.

The clamour against him was as great, notwithstanding, as if all had been owing to him alone.

The Governor was required by the King to afford the Commissioners of the Customs every protection in his power. He was censured, however, by the people, for receiving them and their families into the Castle, and for allowing them the use of his own and the Lieutenant-Governor's apartments there. The garrison consisted of young men, whose parents or friends lived in the adjacent towns. The *Romney*, with a frigate and sloop, had changed their stations and removed near to the Castle, that they might be conveniently situated for guarding against any surprise. He was charged in the newspapers with a design to raise a groundless opinion with regard to the fidelity of the garrison and the loyalty of the inhabitants, and to cause pretence for sending troops to the province; and it was suggested, that, upon his application to General Gage, orders were gone to Halifax for one or more of the regiments there to remove to Boston.[1]

Mr. Hutchinson has given some particulars of the manner in which the great majority against rescinding was formed. Some persons, it appears, who had not originally been in favour of refusing English goods, now declined to vote against the original resolution to that effect, 'because they would not be subject to Royal directions in the character of members.' But it is also a fact that persons inclined to rescind were subject to intimidation.

The House ordered that the names, on both sides of the question, should be printed. One list was handed about with every expression of honour and applause; the other, like the list of the Straffordians in the last century, was hung up in contempt and derision. The number 92 was auspicious, and 17 of ill-omen, for many months after, not only in Massachusetts Bay, but in most of the colonies on the continent.

It requires no small degree of fortitude to stand against a

[1] Hutchinson, *Hist. Mass.*, ch. ii.

popular torrent, when it runs with violence; but justice requires me to say more of the rescinders. They were men of very reputable general characters; and most of them distinguished for their good sense, as well as integrity.

The same historian relates a curious episode of this crisis, wherein the popular movement was unintentionally caricatured, but with such an admixture of the violence then in vogue as might have been attended with fatal consequences. The spirit of independence had, it appears, made progress in Harvard College, and displayed itself in attempts on the part of the students to evade any rule that was distasteful. At length the tutors resolved to be imposed upon no longer by excuses fabricated whenever the scholars desired to shirk prayers or college exercises; whereupon the scholars assembled under a 'Tree of Liberty,' pronounced the conduct of the tutors 'unconstitutional,' and broke their windows. The perpetrators of these acts of insubordination could not be identified, but sundry youths were suspected and called up for examination. One of these lads invented a tale of ill-treatment, in which he was supported by another, and their comrades threw brickbats into a room where the tutors were sitting. The tale was proved to be groundless, and the revolt was eventually subdued, but not without trouble; it necessitated the expulsion of the worst offenders.

The tidings of the renewed outbreaks at Boston caused, as might have been expected, a strong sensation in England. As American Democrats and English Radicals have accused Governor Bernard, even down to this century, with exaggerating the situation, the independent opinion of Commodore Hood is here given, addressed to Mr. Grenville, the former Minister, who, though no longer in office, was still a prominent politician:

Halifax: July 11, 1768.

Sir,—What has been so often foretold is now come to pass. The good people of Boston seem ready and ripe for open revolt, and nothing, it is imagined, can prevent it but immediate armed force.

I do myself the honour to give you, Sir, a little detail how matters have gone, and how far the force entrusted to my care has been employed in the support of the Commissioners of the Revenue on the applications they have made to me.

On the 24th of March I received a letter from the Commissioners, setting forth that from the conduct and temper of the people and adverse aspect of things in general, the security of the revenue, the safety of its officers, and the honour of Government, required immediate aid, and hoping I should find it consistent with the King's other services to afford them such assistance.

I ordered the *Romney* of 50 guns to be fitted with all possible dispatch, and as soon as the season would give leave she sailed for Boston, accompanied by two armed schooners. The commanders were strictly directed to be aiding and assisting to the Commissioners to the utmost of their power in the due and legal execution of the laws of trade and navigation, according to the true intent and meaning of the said laws and the several Acts of Parliament made in that behalf.

On the appearance of the *Romney* before the town the riot and disorder seemed to subside; but on a vessel's being seized for illicit trade, belonging to a Mr. Hancock (by far the richest man in the province, and the known abettor of tumultuous proceedings), by the Comptroller (who went for England about a fortnight past), a numerous and violent mob assembled, and the Collector and Comptroller, with other officers, were beaten and wounded, the Collector's boat burnt, and other acts of a most outrageous nature committed. The lives of the Commissioners were threatened, and they were happy in taking shelter by stratagem on board the *Romney*, where they tarried some days, and then landed at Castle William. They then wrote to me for more aid, and I immediately sent two more ships, which has secured the Castle from all attempts of surprising it.

On the 21st past Governor Bernard, by command of His Majesty, acquainted the Assembly that it was required to rescind the resolves of last year. This has been refused, with the most scurrilous abuse of all His Majesty's servants in England as well as those in America, and even the person and office of the King was not spared by some of the demagogues.

The Governor gave the Assembly a longer time to reconsider the matter, which still refused, and it was dissolved on the 2nd instant, as you will see by his Excellency's proclamation in the newspaper I now send, which contains the several mes-

sages between the Governor and Assembly previous to the dissolution.

On the 5th instant orders were received here to prepare temporary coverings for the six companies of the 59th Regiment on the islands of Cape Breton and St. John, and the four of the 29th at the other outposts of this province. Upon information of these orders from Colonel Dalrymple, I ordered the equipment of the *Launceston* to be hastened as much as possible, and she is now ready for service; and as I had a letter yesterday from General Gage, requesting my assistance for transporting troops, and Colonel Dalrymple having orders to repair to Boston with those now here, if a requisition should be made by Governor Bernard before a junction of the whole can be effected, I hold the *Launceston* in constant readiness to take troops on board. I have sent an officer with my letters to the Admiralty, and I could not let him depart without being the bearer of a letter to you. I have the honour to be, &c., &c. SAM. HOOD.[1]

On August 8 Hood sent further intelligence to Mr. Grenville. He says: 'The aspect of things is not in the least mended—indeed, the ferment among the people seems at times to be smothered, but then diligent search is ever making by the demagogues after fuel to kindle the flame afresh.' And he gives further particulars of the troubles.

Mr. Williams, the Inspector-General of the Customs, who was from home in the late riots, had his house beset on the evening of his return by a vast mob, who in a tumultuous manner insisted on seeing Mr. Williams and his appearing at the window. It was demanded that he should immediately go to Liberty Tree, there resign his office, and take an oath never to resume it; which he refused, assuring them at the same time that he had friends in the house ready to defend him if his doors were forced. They then insisted he should go to the Castle to the Commissioners, where they have been prisoners at large many weeks; which he also refused, when much clamour ensued and much vengeance was threatened; but on assurances being given by Mr. Williams that

[1] Letter from 'Commodore Hood to Mr. Grenville,' dated 'Halifax (Nova Scotia), July 11, 1768,' in *The Grenville Papers*, vol. iv. 'He was at this time Commander of His Majesty's ships and vessels on the Boston station. He was subsequently well known as a most distinguished admiral. He was created Viscount Hood in 1796, and died in 1816' (Note to the above letter).

he would meet them at the Town House next day at noon, they dispersed without doing much mischief.

At the appointed hour Mr. Williams went through a mob of many thousands, who opened a passage for him, and from a window he repeatedly told them of their proceedings last evening, that he was come agreeable to his promise, and demanded what they had to say to him; not a word of reply was made by any one; all were silent. His resolute behaviour had quite disconcerted them; but he has often since received anonymous letters threatening his life unless he resigns his office.

Governor Bernard was very apprehensive that the Castle would be attacked, and wrote to Captain Corner of the *Romney*, requesting his assistance by all means in his power for the defence and protection of it. Thus things at present are; from the information I have received all is confusion, and Government without authority.

In the latter end of last month Mr. Bernard pressed his Council to advise him to call for troops; the whole except three opposed the measure; so that his Excellency is now left to act upon his own judgment solely, which may possibly make him less timid.

Colonel Dalrymple, by General Gage's order, holds two regiments in constant readiness to embark from hence whenever they are required by the Governor or directed by the General. Had this force been landed in Boston six months ago, I am perfectly persuaded no address or remonstrance would have been sent from the other colonies, and that all would have been tolerably quiet and orderly at this time throughout America. Every day's delay of the only remedy that can prove effectual has manifestly tended to an increase of bad humour, by which what would have been without difficulty effected early in the spring will become an arduous and probably a fatal undertaking late in the year.

The giving to the colonies such time and opportunity for uniting in opposition to the British Acts of Parliament ought, in my humble opinion, by all possible means to have been prevented. But I forget to whom I have the honour to address myself, and must entreat your goodness, Sir, to excuse my presumption in saying what I have in matters of such high importance, and to one who is so perfect a judge of them; I meant only to relate facts as they were transmitted to me. . . .

At home, in England, opinions differed much as to the real meaning of the Boston outbreak, for the story was at

best but imperfectly known to the general public, and not fully apprehended by the Ministers. As to Governor Bernard, some persons thought he did too much, others that he did too little. He had many revilers, but he had also some staunch admirers. Among the latter was William Warburton,[1] Bishop of Gloucester, who had borne kindly testimony to Francis Bernard's character and disposition when a youth. He wrote before the refusal to rescind and attempt to intimidate the Inspector-General were known in England, but after the first assaults on the Commissioners: 'You have got immortal honour in our House by your manly, prudent, and steady conduct amidst all the confusions both in the Old and New World. Whenever Government recovers its vigour we think you cannot miss the reward of your important services.'[2]

Philip Young, Bishop of Norwich, wrote a fortnight later, when more news must have arrived; in fact, the Comptroller, Mr. Hallowell, had reached England[3] and told his own story:

> I am amongst those who thought from the beginning of our differences with the colonies that it was bad policy, at least, not to leave them to the taxing themselves. I think so still. But yet I think their behaviour to be most detestably bad, as I think your wise and steady conduct has been uniformly such as gains you unsullied honour. I hope that they who can reward it will do so, and make the rest of your days as happy as you can wish.[4]

The kind wishes and anticipations expressed in these letters were not realised.

[1] See vol. i. ch. ix. of this work.

[2] *Life of Sir Francis Bernard:* 'Letter from the Bishop of Gloucester to Governor Bernard, dated 10 July, 1768.'

[3] Mr. Knox, Under-Secretary of State to Lord Hillsborough, writes to Mr. Grenville:

'London: July 23, 1768.

'Dear Sir,—The newspaper will have told you on your tour what I am now sending better authenticated to meet you on your return. The Comptroller of the Customs at Boston is arrived, and I met him this morning at Lord Hillsborough's office.'

[4] *Life of Sir Francis Bernard:* 'Letter from the Bishop of Norwich to Governor Bernard, dated 9th August, 1768.'

CHAPTER XXII

THE DEFECTION OF THE COUNCIL

Letters on the State of Affairs in Boston—The Disposition of the Council—Celebration of the Stamp Act Riots—The first Troops ordered to Boston—The dissolved House of Representatives meets as a Self-Constituted Body—Samuel Adams becomes an Advocate of desperate Measures—The Housing of the Troops—The Council and the 'Billeting' or 'Mutiny Act'—The varying Policy of successive English Ministries—Francis Bernard accepts a Baronetcy—Disloyalty in Virginia.

IN order not to interrupt the narrative of events in the preceding chapter, two letters bearing on the state of affairs in Boston have been reserved for this place. The first, said to be 'from a Gentleman of Character,' is dated from Boston on June 14, the very day of the meeting in Faneuil Hall and the deputation to the Governor's country house. The names of the sender and receiver are both left blank—doubtless out of regard to their safety.

Sir,—Mr. —— this morning delivered your kind message; I am sincerely sorry for the ill-behaviour of the people, which must terminate in their ruin and destruction. There certainly is, among some of the most wicked and abandoned, a settled scheme to oppose even the King's troops landing, if that should be attempted, and they are endeavouring to get the country to join in that most profligate and vile undertaking; however, I think it is beyond all doubt, but those of property, and the better sort of people among us, will discountenance such intolerable madness; and will, notwithstanding the malicious and unreasonable efforts of a few, lost to all sense of gratitude to their Mother Country, desperate in their fortunes, and, in short, devoid of all principles except such as are peculiar to devils, exert themselves against such a measure, as soon as they dare act in conformity to their own judgment.

It is my opinion that the promoters of the present evils are ready to unmask and openly discover their long and latent design to rebel, and, if possible, to involve this miserable country in

blood and horror. Heaven avert the evil! To commit to writing the various methods by which they delude the ignorant, and persuade the vicious, would be extremely tedious; but in general nothing is left undone to accomplish both.

One of their grand objects is to spread the infection, and thereby bring all the colonies to the very verge of a general revolt; if they are disappointed in this their projects will drop of course.

I still am, and will continue to be, dear Sir,
Your sincere friend and most obedient Servant [1]

There is nothing distinctive in the contents of this letter, but the next, which is undated, is evidently addressed to one of the Commissioners:

Dear Sir,—It is with the utmost concern that I observe a great uneasiness and unusual sourness in the minds of the people in general; have much grieved at the public abuses of some great personages among us, who, to say no more, have merited very different treatment. Much might be said on that head; but to pursue what was more immediately in my mind; I don't know, but fear, that the uproar of Friday night is but a prelude of greater disturbances; and, Sir, as my regards for you are unfeigned, I would just hint what I have noticed from the several quarters, &c. The people, as a people, are exceedingly averse to the Gentlemen of the Honourable Board of Commissioners. I have heard your name oftenest mentioned. I have obviated many things, and anticipated others, to the utmost of my poor abilities. I know that these convulsions among these people must give you uneasiness; but rouse your philosophy. I fear there will be more confusion; though I do but guess, for I am in no secret; yet, at the same time, he that runs may read, that without some speedy interposition a great storm will arise; which God avert.

I am, dear Sir, &c.[2]

(*A true copy.*)

This letter is said to have been written by 'a Gentleman well acquainted with the state of the Town of Boston.'

[1] 'Memorials of the Commissioners of the Customs in North America, with several Letters and Papers annexed' (in the same volume as 'Letters to the Ministry'): 'Extract of a Letter from a Gentleman of Character, dated Boston, June 14, 1768.'

[2] 'Memorials of the Commissioners, &c., &c.': 'Extract of a Letter from a Gentleman well acquainted with the state of the Town of Boston.'

An epistle from Mr. Whately to Mr. Grenville, written soon after the arrival of Comptroller Hallowell in England, gives some idea of the effect of American proceedings on English minds:

July 26, 1768.

Dear Sir,—I came to town this morning. I find the alarm about America very great. The Stocks have fallen two and a half per cent. upon it. The Ministers are in great confusion. I am told they differ in opinion. Lord Shelburne and Lord Camden, they say, do not agree with the Bedfords, and the business itself would puzzle Ministers of abilities equal to theirs in perfect unanimity. No measure is yet taken—none, indeed, can be resolved on, for the Duke of Grafton has not yet been in town since the news arrived. He has, they say, been sick; but to-morrow he comes, and then there is to be a full Cabinet Council. The accounts you have already had of the affair were not at all exaggerated. I now know the circumstances on which the Commissioners determined to retire on board the men-of-war, and think they had very good reason for so doing.

Governor Bernard, you heard, sent them word that he apprehended he should soon follow them; this was not on account of the disturbance which then subsisted, but because he had just received the orders you heard of some time since for the dissolution of the Assemblies if they would not erase certain resolutions. He deferred to execute these orders till the town meetings were over, but had, when the ship sailed, summoned the General Court, in order to communicate these instructions, and expected they would meet with a reception which would make his stay impossible.[1]

Bancroft quotes a letter from the Governor to the Secretary of State, of March 19 in this year, in which the subject of military protection is mooted. He had been asked why he did not apply for troops.

I answer, 'His Majesty's Ministers have within these three years been fully acquainted with the defenceless state of this Government, and therefore I leave it entirely to the Administration to determine upon a measure which they are much more able to judge of, and be answerable for, than I can be. I shall have danger and trouble enough when such orders arrive, though

[1] Letter from 'Mr. Whately to Mr. Grenville,' in *The Grenville Papers*, vol. iv.

I keep ever so clear of advising or promoting them. Those who have the command of the mob can restrain them, and of course let them loose.'[1]

The tone of this letter shows strong distrust of the Ministry, and doubts about his Boston advisers, which were soon realised.

In these troubles the disposition of the Council became a subject of grave apprehension. Thomas Bernard has given a somewhat detailed account of its attitude when his father assembled it in haste at the very moment of the outrages:

In this conjuncture the Governor pursued his instructions and applied for advice to the Council, who recommended that such of the board as were Justices of the Peace should assist the Governor in ascertaining the facts, in order that the whole matter might be taken into consideration. In the meantime, the tumult becoming more alarming, the Governor called the Council very early next morning, and required that they should immediately take into consideration the necessity of providing for the peace of the town and the proper means of doing it. They consumed the whole day in debate, and about six in the evening advised that he should refer it to the General Court by a message to the two Houses. Unable to do anything effectual to restore the tone and vigour of Government, he at length adopted their recommendation, having first demanded of them whether they would advise him to send for troops. To their answer that they did not desire to be sacrificed to the fury of the people, he replied that he did not wish that either they or he should fall a sacrifice; that for his part he was ready to take his share of the danger if they would join him; but that, without their concurrence, he could not make the requisition.[2]

This impossibility of obtaining any help from the Council, while the demeanour of the nationalist party became more and more threatening, led to conferences, held under the Governor's auspices, with the chief functionaries of State and some of the Custom-house officials, which have roused the ire of American writers. Mr. Drake names the house

[1] Bancroft, *Hist. U.S.* (Routledge's edn. 1854), ch. xxxii. It is not given in the later edition.

[2] *Life of Sir Francis Bernard.*

of Judge Auchmuty,[1] 'a convenient halting-place between the Province House and the Governor's country seat at Jamaica Plain, and the Lieutenant-Governor's residence at Milton,' as the locality in which 'the secret conclave of Crown officers' met to plot the overthrow of colonial liberty. 'Here Bernard, Hutchinson, Auchmuty, Hallowell, and Paxton discussed the proposed alterations in the charter and the bringing over British troops to overawe the people.' This memorable edifice still exists, a relic of colonial days, 'at the corner of Cliff and Washington Streets.

The Commissioners had written not only to Commodore Hood, but also to General Gage and Colonel Dalrymple, for assistance.[2] Hood at once sent two vessels to support the *Romney*; but it was against the law for land forces to enter Boston without a requisition from the Governor and Council, and nothing could be hoped from the Council.

The disturbances at Boston having continued in proportion to the continued impotence of the Government, General Gage sent Governor Bernard a copy of his letter to the commanding officer at Halifax, directing him to have his troops in readiness to embark for Boston if required by the Governor. In this situation he could not help feeling and expressing some degree of indignation that, in accumulation to the difficulties and dangers to which he had been exposed, he was now to be either singly and personally answerable to the fury of the people for the introduction of the troops on his own requisition, or was to be responsible to the King for all the consequences of the troops not having been sent. Upon receipt of this letter, therefore, he summoned a General Council, for that opinion which his duty required him to take on the subject; and, having received their unanimous advice not to require troops, he informed the General[3] that he would make no such requisition.[4]

The popular party must, therefore, have met this year—

[1] Drake (Francis S.), 'Roxbury in the Provincial Period,' in Winsor's *Mem. Hist. Boston*, vol. ii.

[2] 'Memorials of the Commissioners of the Customs in North America,' appended to 'Letters to the Ministry.'

[3] 'Letter from Governor Bernard to General Gage, dated July 18, 1768.'

[4] *Life of Sir Francis Bernard.* 'Letters from General Gage to Governor Bernard,' dated June 25 and July 11, 1768.

1768—in very cheerful spirits to celebrate the Stamp Act riots, and it would seem that no effort was spared to render it a success.

The British flag was flung to the breeze from the Liberty Tree at dawn (August 15th, for the 14th was Sunday); the principal gentlemen and chief inhabitants met under its shade; the populace crowded around; there was music; 'the universally admired American Song of Liberty' was sung; cannon were discharged; 'the fair Daughters of Liberty' adorned the windows of the neighbouring houses, from whence they testified their approbation by smiles of satisfaction. After all, the gentlemen repaired to the Greyhound Tavern at Roxbury, the cavalcade being allowed to be the finest that had ever been seen in America.[1]

Such is the narrative of the recent American writer, Gilman. Governor Bernard notices the same event somewhat differently in a letter to Lord Hillsborough:

I inclose the printed account of the celebration of the 14th of August, being the day of hanging the Stamp Officer in effigy and destroying his house in reality. This is the third anniversary celebration of this day; at the head of the procession were two principal merchants, who have all along abetted the parades of the Sons of Liberty. In the procession, as I have been informed by several persons, was one Moore, who was a principal hand in pulling down the Lieutenant-Governor's house, was committed to gaol for it, and rescued from thence by a number of people in the night. This man is now at liberty to celebrate those exploits by which he legally incurred the penalty of death.[2]

In the next letter the Governor gives further instances of the height to which party spirit and insubordination had risen: 'Your Lordship's observation of the intention of the faction to defeat all conciliating measures will be fully confirmed, if it is not already. Their influence in the Courts of Justice, especially at Boston, is carried to an enormous length, of which there has been lately a most extraordinary

[1] Gilman, *The Story of Boston*, xxi., 'In the Grip of the Army.'

[2] 'Letters to the Ministry': 'Extract of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, August 29, 1768.'

instance.'[1] He then mentions that a 'virulent libel' against the Chief Justice, accompanied by threats, had appeared in the 'Boston Gazette' the day before the sitting of the Superior Court.

The next day, when the Court was opened the Grand Jury was found to have among them several of the abettors of the Boston mobs, and particularly the famous Capt. Malcolm,[2] who, having twice in a forcible manner set the laws of trade at defiance with success, has thereby raised himself to be a mob captain, and was actually the raiser of the mob which abused the Custom-house officers on the 10th of June last. This man was thought a fit person to be upon the Grand Jury, before whom his own riots were to be inquired into. To account for this your Lordship must know that in this Government juries, both grand and petty, are not returned by and at the election of the Sheriff, but by the appointment of the several towns, and returned by the constables.

This being the case, it was to no purpose for the Chief Justice to enter into particulars concerning the late riots. . . . The Attorney-General had been ordered by me, with the advice of Council, to prosecute the rioters on the 10th of June. But when he came to lay it before the Grand Jury, no evidence could be had against any one man. There had been two or three hundred people who paraded and did great part of the mischief in the public streets in the daytime, and yet no man could be found who dared to charge any of them. And it is no wonder, whilst the head of the mob sat upon the Grand Jury, ready to mark those who should testify against his mob. And I suppose the Attorney-General was not very earnest in endeavouring to procure evidence; as he must see that before such a Grand Jury there was no probability of getting a bill found.

The Governor proceeds to notice a still more dangerous symptom:

I am sorry, my Lord, that I cannot continue to give the Council that credit which I have done in former letters. Immediately after the vote in the House for not rescinding, &c., the Council

[1] 'Letters to the Ministry': 'Extract of a Letter from Governor Bernard to the Earl of Hillsborough, dated September 9, 1768.'

[2] This name is elsewhere written 'Malcom,' which is probably the correct rendering. Mr. Bernard, writing or dictating in haste, without documents before him, would not be likely to stop in order to consider the spelling of a name.

suffered so great a change that they don't appear to be the same persons. And I can no longer depend upon them for that assistance which I have been used to expect, and often to receive of them, in support of the rights of the Crown. They seem to have caught the general intimidation, to look upon the cause of the present Government to be desperate, and to think that it is high time that they should take care of their interests with the prevailing party of the people.[1]

The military dilemma was eventually solved. Early in September the Governor learned from a private communication that two regiments had been commanded to leave Halifax for Boston, and Mr. Hutchinson expressly states that 'these first troops were ordered by Government in England of their own mere motion.'[2] Undoubtedly, however, the Governor's letters had been instrumental in producing the result, corroborated as they were by other letters from loyalists. Mr. Bernard, believing that the arrival of soldiers, if totally unexpected, might cause a revolt, communicated his news to a member of the Council, and before night it was known all over the town, producing great excitement. Hosmer tells the tale as follows:

In September the *Senegal* and *Duke of Cumberland*, ships of the fleet, set sail from the harbour, and Bernard caused the rumour to be spread abroad that they were going for troops. A town meeting was summoned, and Bernard, apprehending insurrection, caused the Beacon on Beacon Hill to be so far dismantled that signals could not be sent to the surrounding country.[3]

The Governor's own fuller narrative, sent to Lord Hillsborough, states that he had received information of a large meeting on Friday, the 9th, and of a small private gathering at the house of a chief of the anti-English party on Saturday, the 10th. This chief, as Bancroft notes,[4] was

[1] *Life of Sir Francis Bernard.* Also 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, September 9, 1768.'

[2] Hutchinson, *Hist. Mass.*, ch. ii.

[3] Hosmer, *Samuel Adams*, ch. viii., 'The Arrival of the Troops.'

[4] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxiv. From this chapter the further

Joseph Warren; at his house Samuel Adams and James Otis were, of course, present. 'And there,' continues Governor Bernard, 'it was resolved to surprise and take the Castle on the Monday night following.'[1] He adds: 'I don't relate these accounts as certain facts, but only as reported and believed.'

Then follows some more trustworthy intelligence:

> On Saturday night an empty turpentine barrel was put up upon the poll of the Beacon (which had been lately erected by the selectmen without consulting me). This gave a great alarm the next day, and the Council sent to me on Sunday afternoon to desire I would order a Council, which I held at a gentleman's house halfway between me and Boston. Here it was debated what means should be used to take the barrel down; and it was resolved that the selectmen should be desired to take it down, but they would not do it.

The Governor found other persons to undertake this service, and thus apparently disconcerted the confederates. The report of an intention to seize the Castle may have been an exaggeration; yet it is suspiciously evident that Mr. Bernard's prompt measures of repression gave great annoyance to the malcontents, who afterwards made his mere mention of this rumoured plot to the Ministry one of the articles of impeachment against the Governor. The halfway house to which he alludes was probably Judge Auchmuty's residence, but on this occasion the meeting, though not open to the public, was no more a 'secret conclave' than any other duly summoned Council, save that it was probably held in a private house—the day being Sunday—to avoid attracting attention, which was certain to be followed by a patriotic burst of virtuous indignation.

Governor Bernard having refused to accede to the demands of the confederates, as made known to him by a committee—namely, to give his reasons for expecting troops

particulars related by Bancroft are taken and quoted until another reference is given.

[1] 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, September 16, 1768.'

and to call another Assembly without waiting for leave from the Crown—a second public meeting of the Opposition was held, without a day's delay, in Faneuil Hall on Monday, the 12th,[1] which the Governor described in a subsequent portion of his letter to Lord Hillsborough, already quoted. Otis presided.

I should have mentioned before that in the middle of the hall where they met were deposited in chests the town arms, amounting, as it is said, to about 400. These, as I have before informed your Lordship, about four or five months ago, were taken out of the lumber-rooms, where they had lain for some years past, to be cleaned, and have since been laid upon the floor of the Town-hall to remind the people of the use of them. These arms were often the subject of discourse, and were of singular use to the orators in the way of action. As the subject of their debates turned upon arming the town and country against *their enemies*, the probability of a French war was mentioned as a pretence for arming the town, and a cover for the frequent use of the word *enemy*. It was said that the *enemy* would probably be here before the Convention met, that is, within ten days; it was moved that the arms should now be delivered out to oppose the *enemy*; this was objected to, for that they might fall into hands who would not use them. But this flimsy veil was not always kept on; it was often said that they had a right to oppose with arms a military force which was sent to oblige them to submit to unconstitutional laws; and when it was required to be more explicit the chairman said that they understood one another very well, and, pointing with his hand, added, 'These are the arms; when an attempt is made against your liberties they will be delivered; our declaration wants no explication.' And, indeed, it does not.

When first it was moved that the Governor be desired to call an Assembly, it was said to be to provide for the safety of the province and put it in a posture of defence; it was thereupon observed that that would make troops necessary, and it was immediately struck out. One cried out that they wanted a head; this was overruled, for indeed it was too premature. Another, an old man, protested against everything but rising immediately and taking all power into their own hands. One man, very profligate

[1] Bancroft mentions Monday, September 12, as the date of this meeting. *Hist. U.S.*, Epoch ii. ch. xxiv.

and abandoned, argued for massacring their enemies ; his argument was short. 'Liberty is as precious as life ; if a man attempts to take my life, I have a right to take his. *Ergo*, if a man attempts to take away my liberty, I have a right to take his life.' He also argued that when a people's liberties were threatened they were in a state of war and had a right to defend themselves. And he carried these arguments so far, that his own party were obliged to silence him.

The dissolved House of Representatives now met as a self-constituted body in Faneuil Hall,[1] embarrassing the Governor by its assumption of powers which he could not recognise, and manifesting great indignation that he refused to accede to its petition for summoning a new Assembly, although he was debarred from taking such a step until further instructions arrived from England. The Convention was, however, so far impressed by his determined attitude, that it dissolved itself at the end of six days, having behaved during its short session with comparative moderation, notwithstanding the efforts of the more violent members to alter its course.

To these agitators must be attributed the publication of a document, which the rest of the body did not, indeed, disavow, but permitted to come forth as 'The Result' of its conferences.

> They brought into this result [writes Mr. Hutchinson] several expressions evidently intended as fleers upon the Governor, who had been bred to the law, and practised many years with reputation, both in the temporal and spiritual courts. 'Ignorance of the law,' they say, 'neither in a court temporal or spiritual,' is a proper plea or excuse. They would appear, not as 'attorneys,' 'proctors,' or 'pettifoggers,' but as plain honest men. These were expressions in their result indecent and illiberal.[2]

And, moreover, the expressions just quoted showed want of knowledge or perverse inaccuracy as to the details of the

Hutchinson, Thomas Bernard, Bancroft, and other historians note these proceedings. Bancroft, indeed, admits most of the facts mentioned in the Governor's last-quoted letter to Lord Hillsborough.

[2] Hutchinson, *Hist. Mass.*, ch. ii.

Governor's career in England.[1] But the writers had somehow learned that he was connected with bishops, and that was enough to arouse their anger.

To describe all the symptoms of agitation at this time would fill too much space. Meetings were frequent and stormy; a fast day was kept in the Congregational places of worship; resolves were made in many quarters against buying any article on which a duty had been imposed. During the whole of the crisis Samuel Adams stood forth as the advocate of desperate measures. In the words of Bancroft:

> With the people of Boston, in the street, at public meetings, in the shipyards, wherever he met them, he reasoned that it would be just to destroy every soldier whose foot should touch the shore. . . . Not reverence for kings, he would say, brought the ancestors of New England to America. They fled from kings and bishops, and looked up to the King of kings. 'We are free, therefore,' he concluded, 'and want no king.'[2]

'On the 18th of September,' writes Thomas Bernard, 'the Earl of Hillsborough's letter arrived, with the intelligence that two more regiments were ordered from Ireland to Boston.'[3] The British Government had, it appears, determined on sending the additional regiments 'when the news arrived of the seizure of the vessel from Madeira, and of the withdrawing of the Commissioners.'[4] Mr. Hutchinson states that the Governor knew nothing of this decision until he was thus informed by the Secretary of State.[5] He probably received the intelligence with mixed feelings, since, glad as he might have been to discover that American disturbances were at last considered seriously in England, and that assistance was coming, there was only too much reason to fear that this sudden announcement of

[1] The particulars of Governor Bernard's small appointments of various sorts have been given in vol. i. ch. viii. and x.

[2] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxiv.

[3] *Life of Sir Francis Bernard.*

[4] *Ibid.* 'Letter from the Earl of Hillsborough to Governor Bernard, dated July 30, 1768,' quoted in the *Life.*

[5] Hutchinson, *Hist. Mass.*, ch. ii.

an unexpected additional force might precipitate an outbreak from a people led by Adams, and the most imminent trouble—the question of quarters—out of which the demagogues were certain to make capital, would be more than doubled in difficulty by the doubling of the numbers to be quartered.

It must be remembered that the two regiments from Nova Scotia had not yet appeared, and, indeed, no formal intimation had been sent of their probable approach. But everything came at once. Thomas Bernard continues, still writing of Lord Hillsborough's communication:

> The letter also contained orders for the reform of the magistracy of Boston and for the protection of the officers of the revenue; with directions that the Governor should call the next Assembly not at Boston, but at Salem or some other town. About the same time arrived letters from General Gage,[1] informing Governor Bernard that by the King's commands he had ordered two regiments from Halifax, the one to be quartered at Boston, the other at Castle William, and desiring that quarters might be provided for them.

Many things were required in the Secretary of State's letter, which it was not easy for the Governor to accomplish; but the first and urgent task was to see the troops suitably and peaceably housed; until this was achieved no improvement in other matters could be hoped for. The malcontents were well aware of the fact, and for that very reason determined on strenuous opposition to all provision for the soldiers in Boston.

> The Council, whom the Governor summoned for advice [writes Thomas Bernard], said that it did not rest with them, but was the business of the constables to billet them in the public-houses. The selectmen of Boston, who were next applied to, answered that it would be most for the peace of the town that both the regiments should be quartered in the barracks at Castle William, a fort on one of the islands in Boston Harbour, and in

[1] *Life of Sir Francis Bernard.* 'Letters from General Gage to Governor Bernard, dated August 31 and September 12, 1768,' quoted in the *Life.*

the township, but above three miles distant from the town of Boston. The Governor repeated his application to the Council, who, after several meetings and debates, prepared a final answer on that subject, which they first sent to be printed in the public papers, and afterwards delivered to the Governor; therein refusing to do anything for providing for the troops, except by fitting up the barracks at the Castle.[1]

The Council took its stand on the Act of Parliament known as the 'Billeting Act' or 'Mutiny Act,' on the enforcement of which the House of Representatives had based its opposition, some little time before, to the quartering of troops driven to Boston by stress of weather.[2] This had happened so lately as the December of 1765. The House had then denied that the Act was binding on the colony; it now, in conjunction with the Council, which ostensibly took the lead, quoted the Act in justification of its resistance to authority.

I answered [writes the Governor to Lord Hillsborough] that they must be sensible that this Act of Parliament (which seemed to be made only with a view to marching troops) could not be carried into execution in this case; for if these troops were to be quartered in public-houses, and thereby mixed with the people, their intercourse would be a perpetual source of affrays and bloodshed; and I was sure, that no commanding officer would consent to having his troops separated into small parties in a town, where there was so public and professed a disaffection to his Majesty's British Government; and as to hiring barns, outhouses, &c., it was mere trifling to apply that clause to winter quarters in this country, where the men could not live but in buildings with tight walls and plenty of fireplaces; therefore the only thing to be done was to provide barracks; and to say, that there were none, was only true, that there was no building built for that purpose; but there were many public buildings that might be fitted up for that purpose with no great inconvenience. At last, what I said produced a committee of Council to confer with the selectmen about providing quarters for the troops, and the Council was adjourned.[3]

[1] *Life of Sir Francis Bernard.* [2] See ch. xvii. of this volume.

[3] 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, September 23, 1768.'

Three days later the Governor wrote:

In the postscript of my last, I informed your Lordship that the Council sent to me on Saturday, to desire that I would meet them to receive their answer to my proposal of fitting up the Manufactory House. At that time there was a violent storm of wind and rain, and I was at my country house at Roxbury, five miles from Boston. I thought, by their being in such a hurry, that they intended to do something; and, as there was no time to be lost, I determined not to regard the weather, but set out immediately for Boston; and I therefore was surprised to find that I was sent for in such a storm merely to receive a refusal; for I was not in the secret then, and did not know that all this hurry and drawing me through the worst weather I almost ever travelled in was to get their writings through, so that they might put it in the public papers on Monday.

I mentioned to your Lordship that they had taken back their answer to correct some mistakes; these mistakes were, mentioning sayings of mine which I never said, and couching insinuations which I did not observe. Upon my explaining these passages it was said nothing was intended against me, and that they would alter the passages to my satisfaction; and they offered to do it directly.[1]

They performed their work, however, very insufficiently, and then sent the answer to be printed. One morning Mr. Bernard, happening to enter the Council-room unexpectedly, surprised a member of the Council engaged, together with the printer, in correcting the proofs of the answer. 'I told this gentleman,' he writes, 'that I would immediately represent this to his Majesty as the highest insult that ever was put upon a King's Governor.' The answer was published, notwithstanding this censure. 'And now, my Lord,' continues Mr. Bernard, 'I consider the Government as entirely subdued; the outworks have been taken by degrees; the citadel—the Council—however, remained to the King until within these three months; now that is surrendered, and the garrison has joined the enemy.'

During the course of these unpleasant incidents, Governor

[1] 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated September 26, 1768.'

Bernard had written a letter to Mr. John Pownall, Under-Secretary of State, and brother of the former Governor of Massachusetts, which is here given at full length, because it throws light on his situation, and expresses in forcible language one great difficulty which hampered him in all his dealings with the people of Massachusetts, and especially of Boston—namely, the ever-varying policy of successive English Ministries, all more or less ignorant of the character of the colonies they were attempting to govern, but all confidently propounding their own theories as to the best means of keeping the inhabitants of those colonies loyal and orderly.

Boston: Sept. 20, 1768.

Dear Sir,— I have received both your kind letters of July 9th and 30th, and am much obliged to you for your friendly professions of an attention to my interests. I am sensible that you never have been without it; and must congratulate myself that you are placed in a station which will afford you frequent opportunity of exercising your regard for me.

The hint you have given me of my appearing to want confidence in Government has been partly explained in some private letters which have been communicated to me. I learn that my speech, my answer to the town, my giving way to the populace, &c., have done me much injury, so that my want of spirit in conducting the new measures is much suspected. As for my speech (I know not which is meant) and my answer to the town, I would ask, What concessions have I made that I ought not to have done? or what else is blamable in them except using civil words? and of what service at that time would have been the use of harsh words? As for giving way to the populace (in whose hands, be it observed, I have been left for above three years), I would again ask, What have I given up to them that I could maintain? and how would it have served his Majesty's cause for me to have provoked the people, in whose power I was, to have knocked me on the head, or drove me out of town?

They, who suspect my want of spirit, should go back to the latter end of the year 1765 and the beginning and greater part of 1766, when my friends in vain endeavoured to persuade me to consult my safety at the expense of my duty: let them read my speech on October 25th, 1765, of which the Lieutenant-Governor said some time after, that he was surprised to see me in the

province so long after I had made that speech. In this spirited conduct I persisted till I found it did not agree with the system at home, which required lenient measures and soft speeches to bring about conciliation without correction. I knew that this would not do with the people I had to deal with; but I could not dispute about it. And now the system is changed, and spirited measures are found necessary, why should it be supposed that I cannot reassume such a conduct under the assurance of being supported, when I so readily assumed it upon my own judgment only, without knowing whether I should be supported or not? All the reason I can see for such a suspicion is that I was not, at the distance of 3,000 miles, acquainted with the political change at the time it took place in London, and continued to act on the old system before I was well informed of the new one.

I am, indeed, a good deal worn with my former service, which has been severe and dispiriting for three years past; and I had expectation that I was even now going to receive my reward, in being placed in a station where I should have health, peace, and competence. I carried my expectation so far, as to engage a cabin and fix upon a day for embarking. But since the King's service requires that I should continue here in further action, I submit chearfully to my destination, and hope I have strength enough to serve another campaign. If the dispute lasts much longer it will be too much for me.[1]

Thomas Bernard says that his father

had some little time before applied for a discretionary leave of absence, to be used in case increasing ill-health or impending danger should compel him to quit the province. On the 20th of August, 1768, the Earl of Hillsborough transmitted to him the permission which he had requested, accompanied by testimonials of the favour and approbation of his Majesty, who was pleased to offer him a Baronet's title.

This he accepted, trusting perhaps that his American lands would develop into a sufficient provision for his children to warrant him, according to colloquial phraseology, in 'making an eldest son.' It is only too probable that, in addition to his other troubles, he had now to note a gradual failure in the health of his promising firstborn child, Francis. But

[1] *Select Letters*, Letter XIV.—'To —— ——, Esqre.' This is quoted in T. Bernard's *Life of Sir F. Bernard* as a letter addressed to John Pownall.

the second son, John, had been started in a mercantile career in Boston, which promised to afford an independent source of income when the times mended. The prospect of a baronetcy was, of course, gratifying as a mark of royal favour, and, it may be said, of national approbation; titles of all degrees were then less lavishly dispensed than now, and had more significance. The offer had also a value beyond mere personal gratification, as it was likely to cheer the hearts and strengthen the hands of Massachusetts loyalists. There are, indeed, sundry indications that the honour, when it became public news, was a source of mortification to the insurgent party.

Mr. Hutchinson says that Governor Bernard 'had often expressed his desire to live a more easy life, and repented his change of New Jersey for Massachusetts, though the former had less emolument than the latter; and he had written desiring leave to go to England, hoping for a more easy government.'[1] He adds that the Governor had arranged to take refuge in Halifax, Nova Scotia, if forcibly driven out of Boston, intending there to await the King's pleasure. Bancroft asserts that he was about this time jostled out of the Government of Virginia, in which Lord Hillsborough desired to see him established, and states that he

was now promised the rank of a baronet and the administration of Virginia.[2] . . . For Virginia, it was resolved that the office of its Governor should no longer remain a sinecure. . . . In selecting a new Governor, the choice fell on Lord Botetourt.[3] It would have been ill for American independence if a man like him had been sent to Massachusetts.[4]

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxii.

[3] Beatson, *A Political Index to the Histories of Great Britain and Ireland*, vol. i. *A List of Peers*: '1307. John de Botetourt, Lord Botetourt of Welby Castle. The Barony came by a female to the Berkeley family, where it lay many years dormant, when it was claimed by a branch of that family; and, after a long hearing, the House of Peers confirmed it to Norborne Berkeley, Esq^re^, in 1763; he dying without issue the title now belongs to his sister, Elizabeth Dowager Duchess of Beaufort.' 'The ancient Barony of Botetourt was revived to the 5th Duke' (of Beaufort), Whitaker's *Peerage*.

[4] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxiii.

That the harassed Governor had long been the most anxious man in Boston, and unhappy, so far as the machinations of his enemies could neutralise his appreciation of the blessings which still remained to him, is probable. Moreover, although it is certain that he hoped for some appointment, it is difficult to understand how the Vice-government of Virginia could have fulfilled his expectations.

It was the only colony which provided a fixed stipend for its Governors ; [1] nevertheless, it had been the custom for those governors to reside in England, leaving their province to the care of a lieutenant-governor, whose share of the stipend was probably not excessive. It is said that the British Government now determined to end this abuse, in view of the perilous state of America, and it must have been as first resident Governor that Mr. Bernard was thought of; he could not have accepted an inferior position. But that post was no great improvement on his actual troublesome Viceroyalty, since Virginia had already begun to fraternise with Massachusetts, notwithstanding the differences in its constitution and the character of its inhabitants, and was soon to be prominent in the revolutionary struggle.

It appears, indeed, that the person who in England was supposed to be aggrieved by Lord Botetourt's appointment was General Sir Jeffery Amherst, afterwards first Baron Amherst, a man of considerable military distinction, who had been Commander-in-Chief in America, and was Governor of Virginia. Like his predecessors, he resided in England as a matter of course; he does not seem to have been offered the option of doing otherwise, and thus retaining his appointment. The change, it is said, was effected without regard to his feelings, to justice, or to courtesy. His successor, according to statements in several of the Grenville letters and the notes appended to them, had kissed the King's hand, on his appointment, before Amherst knew that

[1] *The Grenville Papers:* being the Correspondence of Richard Grenville, Earl Temple, and the Right Hon. George Grenville, their Friends and Contemporaries. Edited by James Smith, formerly Librarian at Stowe, vol. iv. 'Mr. Knox to Mr. Grenville, August 20, 1768, and Mr. Whately to Mr. Grenville, August 24, 1768.'

he was deposed. Strong excitement was naturally caused by this transaction. The ex-Governor's cause was taken up by 'Lucius'—that is, 'Junius' under another name—who depicts Botetourt, then a Lord of the Bedchamber, but a gambler and impecunious—as a 'cringing, bowing, fawning, sword-bearing courtier.' To Lord Hillsborough he ascribes the responsibility of the choice, which is inconsistent with Bancroft's view that Hillsborough wished to see Bernard in that position. The only reason given by 'Lucius' for this assertion is: 'Because there is no other person in the Cabinet who could be supposed to have a wish or motive to give such advice to the Crown.' He adds: 'Besides, they,' namely, the Duke of Bedford and his friends, 'openly disclaim any share in the measure, and they are believed.'

Lord Hillsborough's own account, as appears in the 'Grenville Papers,' was that he thought of Lord Botetourt 'in his difficulty.' How this difficulty was produced is not explained, but the natural inference is that he had not found any desirable person willing to accept the post; possibly, if not probably, Governor Bernard had declined it. 'Lucius,' of course, takes a different view: 'It was not Virginia that wanted a Governor, but a Court favourite that wanted a salary.' However this might be, Lord Botetourt was scarcely to be envied, or hated, as a man prosperous beyond his deserts, since his period of administration proved uneasy and brief;[1] he died in October 1770.

[1] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxx. Bancroft (ch. xxiii.) praises Lord Botetourt, evidently intending to hold him forth as a contrast to Sir Francis Bernard, although he was 'the King's own friend.'

CHAPTER XXIII

THE QUARTERING OF THE TROOPS

Arrival of the Troops—Quarters refused by the Council—The Council deliberates independently of the Governor—Governor Bernard receives little moral support from the Reinforcements—The Struggle over the Question of Barracks for the Troops—The 'Manufactory House'—Governor Bernard's alleged indifference to the Ill-usage of the Commissioners—Opinions of his Conduct—Threatening Attitude of other American Colonies.

On September 28 in this year (1768)[1] the two regiments from Halifax, under Colonel Dalrymple, with artillery, which, according to Bancroft, 'Bernard, by a verbal message, had specially requested,'[2] arrived off Boston, and the vessels which brought them cast anchor in Nantasket Bay, a few miles below Castle William. On October 1 Governor Bernard wrote to Lord Hillsborough:

As soon as I was informed of it, I went to the Castle, and got there before the ships got to anchor. Soon after I saw Colonel Dalrymple, and informed him of all the proceedings of the Council concerning his quarters, and the difficulties he was to encounter. And it was agreed that I should call a Council at the Castle the next morning, and invite the Colonel and commanding officer of the fleet to attend the Council.

The Council accordingly met at the Castle the next morning, being Thursday, September 29th. The commanding officers likewise attended after the business was opened, the Colonel acquainted them in a very genteel manner that he was ordered to quarter one of the regiments at Boston; that he hoped he was going among his friends, and that his men would on their part behave as such; that he should be glad if he could have quarters

[1] 'Letters to the Ministry': 'Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, October 1, 1768.' *Life of Sir Francis Bernard.* See also the histories of the time.

[2] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxiv.

in the way of barracks, where he could keep his men under the eyes of their officers, and then he would engage that his men should be kept in good order. He added several kind expressions signifying his desire to conduct the business in a manner that should be most easy and agreeable to the town. He was answered that they hoped he would observe the Act of Parliament; and if he did, he would put both his regiments in the barracks at the Castle, which were in the town of Boston, and capable of holding two regiments; that when the barracks were full, the Council had nothing to do with quartering troops till the public-houses were full. The Colonel said he would not dispute whether the Castle Island was in the town or not; they certainly were distinct places in his orders; that he was not used to dispute his orders, but obey them, and therefore should most certainly march his regiment in the town; and if they assigned him quarters in the public-houses, he should take them; but then he could not be answerable for the good order of his men, which it would be impossible to preserve if they were intermixed with the town people and separated from their officers. I then interrupted, and asked whether, as the Colonel had now told them that he must and would march his regiment into the town, it would not be best to reconsider my proposal for fitting up the Manufactory House for a barrack. It was observed that it was not regular to put a question until the board was cleared: the gentlemen thereupon withdrew.

I then desired that in reconsidering my proposal for fitting up the Manufactory House they would let me know what objection they had to it; the only objection worth notice was that they had no power to draw the money. I told them that there was an appropriation in the Treasury for contingent services, which had much more money upon it than would be wanted for this business, which was a contingent service. They still declined it. I then told them that I would make one more proposal to them, which was that if they would authorise me to fit up this building, I would be answerable it should be done at the charge of the Crown. This also they refused in writing, referring to their former answer. I then gave them to understand that those subterfuges would not disappoint the execution of the King's commands, and that I by myself would assign the house in question for a barrack.

The next morning, when I got to the Castle as usual to hold a further consultation, Capt. Montresor, an engineer, arrived here and brought letters from General Gage for me and the Colonel,

wherein the General says that by a number of private letters from Boston to New York, and from the narrative of the proceedings of the town meeting at Boston, it was reported and believed at New York that the people in and about Boston had revolted; he therefore sent Capt. Montresor to assist the forces as engineer, and to enable them to recover and maintain the Castle and such other posts as they could secure. As things were not so bad as this came to, the Colonel thought proper, upon the authority of these new orders, to alter his plan and land both regiments at Boston without loss of time. I gave him a positive order to take possession of the Manufactory House for one, and the other regiment was to be encamped. This being resolved, the fleet was immediately put into motion, and by the next morning commanded the whole town; and this day at noon the troops began landing, and were all paraded on the Common by four in the afternoon This was done not only without opposition, but with tolerable good humour. Thus this business has been effected for the present, which would have had none of these difficulties, nor have occasioned such a parade, if it had not been for the undutiful behaviour of the Council.[1]

Bancroft, writing long after the event, describes sensationally the threatening appearance of the 'eight ships of war, with loaded cannon and springs on their cables,'[2] as if in an enemy's country, anchored in the harbour so as to command the town, landing the 14th and 29th Regiments, with part of the 59th, a train of artillery, and two pieces of cannon, on Long Wharf:

Each soldier having received sixteen rounds of shot, they marched, with drums beating and colours flying, through the streets. . . . Dalrymple encamped the 29th Regiment, which had full field equipage; for the rest he demanded quarters of the selectmen. They knew the law too well to comply; but as the night was cold, the Sons of Liberty, from compassion, allowed them to sleep in Faneuil Hall.

[1] 'Letters to the Ministry': 'Letter of Governor Bernard to the Earl of Hillsborough, dated Boston, October 1, 1768.' The collection from which this and subsequent letters to Lord Hillsborough are quoted is entitled in full, 'Letters to the Ministry from Governor Bernard, General Gage, and Commodore Hood, and also Memorials to the Lords of the Treasury from the Commissioners of Customs.'

[2] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxiv.

Hutchinson's calmer account does not give the same credit to the 'Sons of Liberty' for compassion. After stating that the regiment was refused admission to the Manufactory House, he says: 'Application was then made to the selectmen for the rooms in Faneuil Hall, and the troops marched to it. Two or three hours were spent in altercation, when, by some means or other, one of the doors was opened without violence; and they were sheltered there for that night.'[1]

It is evident that Dalrymple's sudden determination to land the troops was a source of some misgiving to the Governor, who would have preferred to see the question of quarters more advanced. Saturday, too, was an ill-chosen day in a town where the Sabbath was observed with such extraordinary strictness, and began at sunset on Saturday. But he suppressed any annoyance he may have felt, and gave an order for the admission of the regiment without field equipage to the Manufactory House. This was disregarded, as the Governor probably apprehended. Dalrymple, however, appears to have waxed wrathful over the hindrances he encountered, and expressed himself angrily as to the Governor's conduct in a letter to Commodore Hood; which the Commodore quoted, adding rough comments of his own, when writing to Mr. Grenville, the former Minister. By the Colonel's own statement, it appears probable that the blandishments of the Boston agitators, who threw the blame of all past troubles on the Governor, considerably biassed his views.

He writes: 'The Governor prudentially [*sic*] retired to the country, and left me to take the whole upon myself.'[2] This was apparently after the actual landing; indeed, after the parade on the Common, which Mr. Bernard seems to have witnessed. He was then, no doubt, residing on Jamaica Plain, and returned thither for the night. The Colonel continues:

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] 'Letter of Commodore Hood to Mr. Grenville, dated Halifax, October 15, 1768,' in *The Grenville Papers*, vol. iv.

I encamped the 29th Regiment immediately; the 14th remained without cover; by tolerable management I got possession of Faneuil Hall, the School of Liberty, from the Sons thereof, without force, and thereby secured all their arms; and I am much in fashion, visited by Otis, Hancock, Rowe, &c., who cry *peccavi*, and offer exertions for the public service, in hopes by this means to ruin the Governor by exposing his want of spirit and zeal for the public advantage. This I have endeavoured, not without success, to turn to the use and advantage of the cause. We have had Council after Council, and nothing done; the service of the Crown is not much attended to; I spoke my sentiments full as plain as pleasant.

Mr. Hutchinson's History, together with Governor Bernard's letters to Lord Hillsborough, render it possible to follow the moves in this conflict almost from day to day. The troops, as already said, were landed on Saturday, October 1:

The next day [writes Mr. Hutchinson] the Governor ordered the doors of the Town-house to be opened, except that of the Council Chamber; and such part were lodged there as Faneuil Hall would not accommodate. The Representatives' room was filled, in common with the rest. There was great murmur and discontent, this being Sunday, and the House in the most public part of the town.[1]

While Dalrymple cast reflections on the Governor because he did too little, others upbraided him for doing too much. 'He certainly stretched his authority in several points,' says Dr. Gordon, 'but particularly in thus acting'—that is, in admitting the troops into the State House.

The next day [writes Mr. Hutchinson], the commanding officer applied to the Governor in Council for the articles required by Act of Parliament for troops in barracks. . . . In their answer they advise that the Governor, agreeably to his own motion, should authorise a person to supply the troops with fire, candles, &c., as particularly mentioned in the Act of Parliament; but they add, what was not the Governor's motion, and wholly frustrated the design of it, 'provided such person will take the risk of being paid

[1] Hutchinson, *Hist. Mass.*, ch. ii.

by the province (meaning the General Assembly) such sums as may be expended for that purpose.' . . .

No person would advance money for supplies to the barracks and depend upon a reimbursement by the Assembly. The Commanding Officer, therefore, hired barracks on the best terms he could, and purchased the necessary articles at the charge of the Crown.[1]

The Council had gone so far as to declare that the Colonel must on his side comply with the Act of Parliament, according to the interpretation given out by its members, and quarter both regiments at the Castle. That body now, indeed, proceeded to deliberate independently of the Governor, treating his remonstrances with insolence. When he felt compelled to animadvert on a breach of its oath of secrecy as to all discussions in its official capacity, Mr. Bowdoin, who, as Governor Bernard observed, 'had been the perpetual President, Chairman, Secretary, and Speaker of this new Council,' informed him 'that the Council were of opinion, that the oath of secrecy related only to such matters as *they* should think and advise ought to be kept secret, and that the Governor had no power to enjoin them to secrecy without their own consent.'[1] Mr. Oliver, the King's Secretary, was summoned to appear before this body and be questioned concerning an entry in the minutes, which they had once approved but now wished to disavow. 'They kept him standing at the end of the table, and at last asked him to sit down at the bottom of the table: he said he knew of no Council where the Governor was not present, and withdrew.'

In the same letter, addressed to Lord Hillsborough, Mr. Bernard adds:

Mr. Oliver, by his rank in the list of counsellors [*sic*], and the usage of the country, had a right to take place of much the greatest

[1] These transactions are given at somewhat greater length in one of the 'Letters to the Ministry': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, October 14, 1768.'

Letters to the Ministry, *ibid.*

part of the counsellors [*sic*] present, in all indifferent places. But being full of their own assumed dignity, they treated this gentleman with a rudeness which I should have been ashamed to have seen practised upon a man of much less rank and merit, if I had been in the chair.

The aim of the malcontents appears to have been all along to exasperate the Governor into acting on his own account, without regarding the opposition of his Council—a proceeding subversive of the democratic Constitution of Massachusetts, which as Governor he was bound to respect. The consequences of such a breach of the Constitution it is impossible to reckon with absolute certainty; but the demagogues had evidently laid a trap for Mr. Bernard, and calculated on his falling into the snare, and on thus becoming masters of the situation. There can be little doubt that he would have been disowned by the British Government, which really supported the efforts of the Opposition to throw the onus on the Governor. The Duke of Grafton was the Prime Minister, the Earl of Chatham Lord Privy Seal. Both Hood and Dalrymple appear to have been totally unable to understand these complications. It was quite natural that they should have desired to see matters carried on in warlike rather than in diplomatic fashion; and no doubt Mr. Bernard often wished the same, but he knew too well the serious issues involved. In the meantime, it is only too clear that he received little moral support from the military and naval reinforcements, although he endeavoured from the first to set forth the more cheerful aspect of the situation. He writes in the letter of October 5 and 6: 'The landing of the two regiments at Boston on Saturday last with such despatch and parade . . . is like to have good effects, and will at last, though it has not at present, produce quarters for the troops.' But he had nothing to certify in that letter save the opposition of the Council.

Within a few days, however, the arrival of General Gage, to inquire into the condition of the soldiers, somewhat improved the Governor's position, since the General, who

had some experience of American colonists, took a reasonable view of the situation. On October 31 he wrote an account of his exertions during the first fortnight of his stay to Lord Hillsborough, beginning:

> In my last from New York, I had the honour to acquaint your Lordship of my intention to go to Boston; I arrived here on the 12th instant; and though Lieutenant-Colonel Dalrymple had done everything in his power previous to my arrival to procure quarters for the two regiments from Halifax, I found one of those regiments encamped, and the other lodged in the Market Hall.[1]

He goes on to say what steps were taken to remedy this state of affairs; the particulars are given at greater length, and to the same effect, in the Governor's letter of November 1, which will be quoted. The struggle now turned chiefly on the possession of the Manufactory House as a barrack for the troops,

> the preventing of which [Mr. Bernard writes about a month later] was a great object of the Sons of Liberty. For this purpose, about six or seven weeks before, when the report of troops coming here was first confirmed, all kinds of people were thrust into this building, and the Workhouse itself was opened, and the people confined there were permitted to go into the Manufactory House. This was admitted to be true in Council by one of the board who is an overseer of the poor and a principal therein.[2]

The Governor's statement on this point was afterwards contradicted by the Council, in a letter to the Earl of Hillsborough,[3] impeaching the conduct of Sir Francis Bernard, in which they declare that Mr. Tyler, the person intended, had told the Governor that there was no truth in the report, and that he had been imposed upon by his informants The

[1] 'Letters to the Ministry': 'Copy of a Letter from General Gage to the Earl of Hillsborough, dated Boston, October 31, 1768.' In this collection of letters the narratives of the General and Governor can be compared.

[2] From Governor Bernard's Letter of November 1, 1768, quoted at length further on.

[3] 'Letters to the Ministry': 'Letter from the Council of the Province of Massachusetts Bay to the Earl of Hillsborough, April 15, 1769.'

Council did not, however, in this document explain who the persons in the Manufactory House really were.

A recent writer[1] states that the building owed its existence to the 'spinning craze,' a hobby started in 1718. The arrival of Irish spinners and weavers had produced an outburst of energy directed to the utilisation of flax; a spinning school was held in the open air on Boston Common, and prizes were distributed to the women thus employed. Then came the erection of the solid brick structure on the east side of Long Acre Street; it was designed to perpetuate the development in the town of manufactures, especially of linen products, and was supported by an excise on carriages and other articles of luxury, in accordance with an Act of the General Court. Possibly the scheme may have been checked by the terrible outbreak of small-pox in 1721; it certainly dwindled, so that the new building was no longer required for its original purpose, and was then leased by the province to one Elisha Brown. But Mr. Brown and his family can scarcely have occupied an appreciable portion of an edifice large enough to accommodate a whole regiment; and it is evident from Mr. Bernard's narrative that the occupants were numerous. He wrote to Lord Hillsborough as follows:

My Lord,—I now proceed to conclude my narrative of my endeavours to get quarters for the King's troops, until I found myself at the end of my string, and could do nothing more.

On Saturday, October 15, General Gage arrived here with his officers to look after the quartering of the troops himself. On Monday I called a Council in the morning, and introduced the General. He told them that he was resolved to quarter the two regiments now here in town, and demanded quarters, and that he should reserve the barracks at the Castle for the Irish regiments, or such part of them as they would contain; which has since been determined to be only one regiment. After the General had left the board, I sat at it until eight o'clock at night; two hours after dinner-time excepted. The whole was a scene of perversion, to avoid their doing anything towards quartering the troops, unworthy of

[1] Bynner, 'Topography, &c., of the Provincial Period' (Winsor, *Mem. Hist. Boston*, vol. ii.).

such a body. In the course of the questions I put to them they denied that they knew of any building belonging to the province in the town of Boston that was proper to be fitted up for barracks, and they denied that the Manufactory House was such a building. This was so notoriously contrary to truth, that some gentlemen expressed their concern that it should remain upon the minutes; and to induce me to consent to its being expunged, a motion was made in writing that the Governor be desired to order the Manufactory House to be cleared of its present inhabitants, that it might be fitted up for the reception of such part of the two Irish regiments as could not be accommodated at the Castle barracks. This was violently opposed, but was carried in the affirmative six to five; upon this I ordered the former answers to be expunged. This resolution, amounting to an assignment of the Castle barracks for the Irish regiments, effectually put an end to the objection before made that no quarters were due in town until the Castle barracks were filled.

The next thing to be done was to clear the Manufactory House. . . . .[1]

The Governor enters into the story of the peopling of this building a few weeks before. Part of that paragraph has already been quoted. He continues:

And after the order of Council was known, several of the chiefs of the faction went into the Manufactory House, advised the people there to keep possession against the Governor's order, and promised them support. And when some of them signified their intention to quit the house, they were told that if they quit the house they must quit the town, for they would be killed if they staid in it.

I had the advice of the best lawyers that, according to the law and usage of this country, the owners of an house occupied by tenants at sufferance, or wrongful possessors, might enter by any means they could and turn them out of possession without bringing an action. It was also certain that the Governor and Council, when the Assembly was not sitting, were perfect owners of the estates belonging to the province, except for alienation. Upon these two principles I appointed the sheriff and two of his deputies bailiffs of the Governor and Council for the purpose of

[1] 'Letters to the Rt. Hon. the Earl of Hillsborough': 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated Boston, November 1st, 1768.'

removing the people out of the Manufactory House. The sheriff was refused admittance; upon which the Chief Justice went with him, and advised them to give up the house; he was answered that they had the opinion of the best lawyer in the province to keep possession. Upon a third attempt the sheriff, finding a window open, entered; upon which the people gathered about him and shut him up; he then made a signal to an officer without, who brought a party of soldiers, who took possession of the yard of the building and relieved the sheriff from his confinement.

This occasioned a great mob to assemble, with some of the chiefs of the faction; they were very abusive against the soldiers, but no mischief was done. They kept the house blockaded all that day, and best part of the next day. When some of the Council declaring that it was not intended to use force, although they knew it could not be done without, and the building not being immediately wanted, the soldiers were withdrawn on the evening of the second day. Thus the building belonging to the Government, and assigned by the Governor and Council for His Majesty's use, is kept filled with the outcast of the workhouse and the scum of the town, to prevent its being used for the accommodation of the King's troops.

After this was over there was nothing more to be done with the Council until the soldiers were billeted in the public-houses, as far as they would go. This we knew would never be done, but it must be attempted; and the Council left this business to me alone, without offering their assistance, which in other cases has been usual. Indeed I did not ask them, as I did not think the business would be forwarded by my associating them.

I therefore summoned all the acting justices to meet me in the Council. Twelve of them appeared; I acquainted them that the General demanded quarters for the two regiments, according to the Act of Parliament. They desired to take it into consideration among themselves. I consented, and we parted. Two justices, two days after this, attended me with an answer in writing whereby the whole body refused to billet the soldiers. But these gentlemen informing me that the justices had been much influenced by the argument that the barracks at the Castle ought to have been first filled, &c., I showed them the minutes of the Council whereby the barracks at the Castle were assigned to the Irish regiments, and they must be considered as full. This was quite new to them, the Council themselves having overlooked the effect of their vote. I gave them a copy of this vote, and returned the answer, desiring them to reconsider it.

Three days after the same gentlemen informed me that they had resolved against billeting the soldiers, but could not agree upon the reasons to be assigned for refusing it; but the next day they gave me an answer in writing (a copy of which is here inclosed), signed by eight of the justices; two others were against billeting, and gave other reasons for their refusal; two others were for billeting, but declined acting by themselves after so large a majority of the whole body had declared for the contrary opinion.

To show the futility of these pretences I must observe that the Act directs the billeting to be by constables, tything men, magistrates, and other civil officers, and in their default or absence by any one justice of the peace.

After some further details of obstruction and hindrance the Governor adds:

I therefore put an end to this business, having been employed in it from September 19 to October 26, in all thirty-eight days, without any prospect of doing anything to purpose, but under an obligation of trying every effort before I gave it up.

General Gage, who was present at the first gathering of the justices, writes in the letter to Lord Hillsborough already quoted: 'There was no disappointment in the bad success of these several applications; it was known beforehand that they would have no effect; but it was proper to try to get the laws enforced.'

This behaviour of the justices throws light on one of the complaints made by Hood concerning Mr. Bernard's alleged indifference to the ill-usage of the Commissioners. 'They were, as I am told, never properly supported by the Governor, and in no one instance did he ever have recourse to the civil magistrates for putting a stop to any riot or unlawful meeting.'[1] The result, when he did apply to them, sufficiently accounts for his previous omissions.

The Governor's narrative is continued as follows:

During this time the General, who foresaw how this negotiation would end, had employed his officers to hire and fit up houses for the troops; so that by the time I had received the definitive

[1] 'Letter of Commodore Hood to Mr. Grenville,' dated 'Halifax, October 15. 1768,' in *The Grenville Papers*, vol. iv.

refusal compleat quarters were provided for all the troops. But now another difficulty arose: if the soldiers should be put into barracks, though provided by the Crown, without the intervention of a magistrate, the military officers who placed them there would be chargeable with taking upon them to quarter soldiers otherwise than by this Act, and, being convicted of it by two justices of peace, would be cashiered *ipso facto*.

On this state of the law General Gage comments indignantly: 'An officer of rank and long service may be cashiered by the management of two justices of the peace, the best of them the keeper of a paltry tavern!'

To return to the Governor's letter. He writes:

This clause was depended upon to oblige the soldiers to quit the town after they had found it impracticable to get quarters according to the Act of Parliament, and it was part of the original plan which I mentioned to your Lordship very early. And it could not be expected that the justices, who had refused to billet the soldiers, would place them in other quarters, for that would be to contradict themselves. I therefore took upon myself to remove that difficulty, and by a commission, wherein I received his Majesty's command to me to take every necessary step for the accommodation of the said troops, and the several means by which the execution of the said Act for providing quarters for the troops was defeated, and the obligation I was thereby put under to provide quarters for the troops in the best manner I could, I authorised a person therein named to place the said two regiments in such buildings and houses as could be procured at the expense of the Crown, with the consent of the owners. Thus has ended the business of quartering the two regiments.[1]

As for provision for them at Boston, according to the Act of Parliament, I have already shown how the order of Council for that purpose was annulled and avoided in the origination of it. Provision has been made at Castle William, by an order of Council being made that the provincial commissary should take care of it. But they have refused to make such an order for the troops at Boston, and therefore it is not done, nor like to be done.

The soldiers were eventually provisioned, of course at the expense of the Crown; bedding, coals, and such other

[1] Judging by the involved style of this letter, it must have been penned by the Governor in some haste.

necessaries as could be spared by the troops quartered at Halifax, were sent to them from there. This want of suitable accommodation for troops led General Gage to suggest to Lord Hillsborough the possibility of building barracks on an eminence called Fort Hill, which had been pointed out to him by the Governor as being Crown property and once the site of a fort.

Gage had no doubt of the gravity of the situation, and expressed his satisfaction that the troops from Halifax had arrived when they did, since

> those who may have acted, or made known their sentiments in favour of Government, declared they durst not stay in the town, but must remove with their families and effects if the troops should leave it. . . . . All now hoped for is, that things being in a more quiet state than they were, the violent temper of the people will abate in a little time, and their minds be more composed, when the magistrates may do their duty with less fear of becoming obnoxious to the people; the town has been under a kind of democratical despotism for a considerable time, and it has not been safe for people to act or speak contrary to the sentiments of the ruling demagogues, and, surprising as it may appear, those fears are not yet annihilated.
>
> If it is asked why the Governor does not turn all the justices of the peace out of commission, and put others in who will do their duty? It is answered, that the Governor can neither appoint new justices or (*sic*) turn them out but by consent of Council, and that the Council opposes everything proposed to the Governor for the service of Government that is unpopular.
>
> From what has been said your Lordship will conclude that there is no government in Boston; there is, in truth, very little at present, and the Constitution of this province leans so much to the side of democracy, that the Governor has not the power to remedy the disorders which happen in it.[1]

Gage evidently thought the citizens unreasonably long in recovering from their panic, and he wrote with a special view to the Commissioners of Customs. It may have been difficult for a general to realise the feelings of civilians, who had been suddenly exposed to the violence of a mob stirred

[1] 'Copy of a Letter from General Gage to the Earl of Hillsborough, dated Boston, October 31 1768.'

by agitators, were still destitute of all power of defence or retaliation, and by no means convinced that any permanent amelioration had been effected. The Commissioners had, indeed, just been desired by the King to 'resume their functions,' whereupon the demagogues had recommenced to incite the populace against them. On November 5 Mr. Bernard wrote to Lord Hillsborough:

> I had been informed that some of the board had been preparing an address to the General to remove the troops from hence, that at this meeting they might get a great number of hands to it. When the Council broke up, I heard some of them making an appointment to meet there the next morning. . . . I then desired that they would not give their meetings the appearance of a Council by holding them in the Council Chamber. They met the next day and settled the address, which was very much softened from the first draught, which I am told was much more virulent against the Commissioners.[1]

The address was, in fact, aimed at these unfortunate men; for, as the Governor observed, its writers knew that General Gage had no power to remove the troops without a Royal order. The 'very much softened' form in which it was made public represents the Commissioners 'as men whose avarice having smothered in their breasts every sentiment of humanity towards the province, has impelled them to oppress it to the utmost of their power.' Mr. Bernard remarks that the wives of two of the Commissioners, who had young children, were already so dismayed by the prospect before them, that no further aggravation of their terror was needed.

On November 14 the Governor wrote, that he was endeavouring to obey orders upon an extremely difficult point:

> I have also made an essay to appoint new justices, who would engage to act, by naming one very fit person. It was received very coolly by the Council, and, upon my asking the reason, I was

[1] 'Copy of a Letter from Governor Bernard to the Earl of Hillsborough, dated November 5th 1768.'

told he was not popular; I replied that if he had been I should not have named him.[1]

This man was otherwise so unexceptionable that the Council gave way; but such persons were not ordinarily to be met with, and Mr. Bernard anticipated more opposition in future cases.

The very fact, however, that he had so far succeeded made the changes already effected by the presence of the troops distinctly manifest. The situation was necessarily strained, but the Commissioners do not appear to have been molested, and the loyalists resumed courage. Hosmer, probably adopting the exaggerated statements of contemporary letters and newspapers, expatiates on the evil and disgrace of the 'crowd of abandoned women' who had 'followed the troops from Halifax, many of whom before long became inmates of workhouses;' on the desertion of forty soldiers within a month,[2] and the shooting of one man who was captured; on the merciless floggings inflicted upon others 'by negro drummers in public on the Common.'

It may be true that there was less profligacy and less temptation in the ranks of the provincial troops, owing to the simpler conditions of life in the colony; probably the punishments also were of mitigated severity; but flogging was not apparently unknown, nor even shooting: both were certainly in use during the subsequent war of the colonies against England.[3] But the agitators, whose lawlessness had

[1] 'Letters to the Rt. Hon. the Earl of Hillsborough': 'Copy of a Letter from Governor Bernard, dated Boston, November 14, 1768.'

[2] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.' Bancroft notes a letter from 'Andrew Eliot to Thomas Hollis,' October 17, 1768, on this subject, which apparently gives as a reason for the desertions, not the fear of floggings or general disgust for their actual life, but the fact that 'the soldiers liked the country they were come to,' and, of course, wished to remain in it (*Hist. U.S.*, Epoch ii. ch. xxxvii.).

[3] Sabine, *The American Loyalists*. Sabine mentions the case of a soldier in Colonel Malcolm's regiment who deserted to the Royal cause, and was tried for the offence in 1778. 'The common punishment for this crime was death, but as Foster was a young man he was only sentenced to receive one hundred lashes on his bare back.' It is, I believe, on record that discipline had been much relaxed amongst the colonial troops during the peace, but after the War of Independence broke out it was revived with severity.

led to the introduction of British soldiers, were, of course, complainants, and made the worst of every arrangement, while the more peaceable inhabitants of Boston, though not insensible to the drawbacks entailed, were thankful for the protection afforded them by the Mother Country.

Among the circumstances which enabled the Opposition to complain of the presence in the town of an English military force was the unfortunate oversight, or rather, perhaps, necessity, which had quartered an important portion of that force in face of the State or Court House.

> Boston [writes Mr. Hutchinson] required their representatives to make the removal of the mainguard the first object of their attention. This, without any design to give offence, had, unluckily, been stationed in a house which was before occupied, opposite to the door of the Court House; and, as is usual, some small pieces were placed before the door of the guard-house, and thus happened to point to the door of the Court House.[1]

Any such unlucky mistake at once emboldened the agitators. The Press, and especially the 'Journal of the Times,' did its best to keep up an irritation between the troops and the residents, and was not apparently careful to ensure strict accuracy in its articles. In one instance 'a story of a fictitious quarrel incensed the lower part of the people and brought on a real quarrel,'[2] writes Mr. Hutchinson. In order to avoid all chance of affrays with the townsfolk, the soldiers were commanded to remain entirely passive. It was reported, perhaps in jest, that a soldier owned to having seen thieves break into a house without endeavouring to prevent the deed, because he had orders 'to challenge nobody' and 'to do nothing which might deprive any man of his liberty.'[3] No doubt this forced inaction led to misconduct and desertion, especially as there must have been tempters always on the alert.

The strained feeling between the Governor and the officers of the army and navy who were sent to his assistance

[1] Hutchinson, *Hist. Mass.*, ch. ii.
[2] *Ibid.*
[3] Hosmer, *Samuel Adams*, ch. x., 'The Recall of Bernard.'

has been already noticed; there is scarcely a trace of irritation to be found in the Governor's letters, although there can be little doubt that he suffered from their inability to understand his difficulties. But they were not so guarded. How they addressed him I have no record, but they wrote on one occasion—perhaps on one only—in acrimonious terms. Officers were, however, at that period certainly not accustomed to measure their language, except when it was absolutely necessary. Bancroft states that the very day after Captain Corner had released the impressed man already mentioned, one Nathaniel Waterman 'went on board the *Romney* to liberate another by offering a substitute.' The captain refused his request, and added: '"The town is a blackguard town ruled by mobs. . . . By the Eternal God I will make their hearts ache before I leave it."' When, the very same evening, the sloop *Liberty* had been moored by Comptroller Hallowell's directions 'under the guns of the *Romney*,' the captain is represented as saying: '"I'll split out the brains of any man that offers to reeve a fast, or stop the vessel!"'[1] and as ordering his Marines to fire more than once, with an accompaniment of oaths. This is not unlikely, and it is highly probable that Captain Corner was exasperated by the continual insults he encountered from the townspeople, and annoyed by having had to promise the Governor a few days before that he would show consideration to the town.

In another matter he refused to respond to Mr. Bernard's wishes, but perhaps unavoidably.

It appears, in a letter from Commodore Hood to Mr. Grenville, that Mr. Bernard desired to obtain some protection for the Castle, in which the Commissioners were then lodged, but, anxious to avoid any demonstration which might be taken up by the agitators, he requested Captain

[1] Bancroft, *Hist. U.S.* (Routledge's Edn.) ch. xxxiv. The sentences quoted are from an 'Affidavit of Nathaniel Waterman'; and Bancroft adds, 'Compare also Hutchinson to Jackson, 18 June, 1768.' That letter I do not possess and have not seen. Bancroft spells the captain's name 'Conner,' which must be an error. In the later edition of Bancroft these sentences are omitted.

Corner to put in quietly, as if he had the Governor's permission to refresh his men there. This Corner refused to do, because his instructions rendered a written order necessary, which the Governor then sent him 'antedated.' Commodore Hood thus notices this simple transaction: 'Mr. Bernard is, no doubt, a sensible man, but he has a vast deal of low cunning, which he has played off upon all sorts of people, to his own disgrace. His doubts and turnings have been so many that he has altogether lost his road and brought himself into great contempt.'[1]

Hood had remained at Halifax, away from the scene of trouble; nevertheless, he had in the same letter to Mr. Grenville, already quoted at some length, made citations from Colonel Dalrymple's report of the situation to him, containing angry references to the Governor, and sent the account, without waiting for further light on the subject, to be perused and disseminated in England. The Colonel, who was probably still plied by his new friends, 'Otis, Hancock, Rowe, &c.,' wrote, according to this extract:

> At this period we arrived; the Convention were planet-stricken, and this very favourable occasion I entreated the Governor to improve. It is beyond the power of my pen to paint anything so abject; far from being elated that the hands of Government were rendered so respectable, he deplored the arrival of letters that made his setting out improper, and with earnest looks he followed a ship that he had hired for his conveyance, and in which he declared his fixed intention of going the moment the troops arrived. His actions were entirely of a piece with his words, for, on a requisition for quarters, he declared himself without power or authority in his province. The Council assembled and declared they would find none.

It was natural that the Governor should sometimes look towards the vessel which was to bear him away from an accumulation of annoyances; but the idea that he intended to leave in unseemly haste is disposed of by the fact that in the following year, when he might have started at any

[1] A Letter of 'Commodore Hood to Mr. Grenville,' dated 'Halifax, October 15, 1768,' in *The Grenville Papers*.

moment, he deferred his departure, in order to finish some business, which he deemed it necessary to settle for the sake of his Lieutenant-Governor, and to carry out orders from the Crown.

In another paragraph of his long letter to Grenville, Hood wrote on his own account:

By what I have related you will see plainly how matters stand, and how little is to be expected from Governor Bernard. I have long and often lamented his timid conduct, and yet would not willingly bring upon him more contempt than he must of course feel when the duplicity of his behaviour is brought to light; but I could not refrain giving you for your particular information my opinion of things in general. A Governor of spirit and dignity, and who preferred the honour of his King and the interest of his country to his own little views, would have prevented almost the whole that has happened, and had Mr. Bernard taken courage to ask General Gage for the very troops now in Boston nine months ago, and which I have authority for believing openings were given him to do by the General, things would now have worn a very different complexion, and the Commissioners never have been forced to leave the town, but have been in a condition to carry on their business in peace and quietness.

After this tirade, it may be well to give the opinion of a civilian who, as might be expected, took a somewhat different view of the situation. Mr. Whately, the writer, had been Secretary to the Treasury when Mr. Grenville was Chancellor of the Exchequer, and was, of course, interested in American politics. They were both in England when he wrote on October 28:

I have little to add to the printed accounts you will see of the rebellion at Boston. General Gage writes to the Ministers that he shall consider it a direct rebellion, and treat it accordingly; that he therefore intended to have sent troops to New York, but that the merchants would not let him have any ship to transport them; he must, therefore, send for the two regiments from Halifax. I have now found out the mystery about those regiments, which has puzzled me all the summer. It was said on the 18th of July that they were probably at Boston by that time, in consequence of the orders sent from hence. Those orders, I find, were only to be

ready to go in case their assistance was required, leaving poor Governor Bernard, as usual, to be responsible for the measure; he proposed the requisition to his Council, they did not dare to advise it; he writes word that if one of them had been for it, he would have taken the step, and now they blame him for not doing it on his own authority; this is very hard indeed.[1]

This chapter may be fitly terminated by a notice of sundry other opinions concerning Governor Bernard's conduct. Lord Hillsborough, after the Governor's death, wrote of him as 'a gentleman very meritorious in the service of his King and country'[2]—an estimate formed during these anxious years in America, and confirmed by subsequent intercourse after the Governor's return to England. Lord Hillsborough's letters breathed encouragement. In December 1768 he writes: 'I am to acquaint you that His Majesty approves your conduct in every part of it.'[3] In January 1769 he wrote: 'I am persuaded there will be on your part no relaxation of that attention to the execution of your duty, which does you so much credit.'[4] Lord Shelburne, on the other hand, showed no appreciation of the Governor's painful position, probably taking his views to a great extent second-hand from Mr. Maurice Morgan, a clerk in the Foreign Office, who acted as his private secretary, and in his comfortable quarters seems to have formed very decided conclusions on the troubles of America. The following passage is an extract from his memoranda:

Besides this succession of impolitic measures—*i.e.* in England—there has been, doubtless, much want of wisdom and management in his Majesty's Governors in America. Mr. Bernard, in particular, after having governed the Province of Massachusetts Bay for many years with words only, felt very naturally a wish in the beginning of the present troubles to muster up his arguments and

[1] 'Letter of Mr. Whately to Mr. Grenville, dated October 28, 1768,' in *The Grenville Papers*, vol. iv.

[2] In a Letter to the Governor's son Scrope, dated '21 December, 1782,' now at Nether Winchendon.

Letters from Lord Hillsborough': 'Copy of a Letter from the Earl of Hillsborough to Governor Bernard, dated Whitehall, December 24, 1768.'

[4] *Ibid.* 4 January, 1769.'

chop logic with the General Assembly, and, though he has been foiled at his own weapons, he seems to this day to value himself more upon a good argument than a wise measure; but seeing at present the ill-success of this proceeding, and that the clamour was too loud for argument, he seems to have retired to his closet to vent his chagrin in womanish complaints, instead of combining men and forming such bold plans of administration as the exigence of affairs seems to require, and as his situation, invested as it is with the authority of Great Britain, might well enable him to do.[1]

It was of this Mr. Morgan, the author of an 'Essay on the Character of Falstaff,' that Dr. Johnson pronounced: 'Why, sir, we shall have the man come forth again; and as he has proved Falstaff to be no coward, he may prove Iago a very good character.'[2] Certainly the readers of these annals might be puzzled to discover any chance the Governor of Massachusetts had of 'combining men,' and how, whatever 'bold plans of administration' he might form in his brain, they could possibly be carried out. As to 'the authority of Great Britain,' it had repeatedly proved a broken reed, and never, perhaps, more treacherous than during Lord Shelburne's period of office, when Mr. Morgan was one of his advisers.

One accusation, brought against Governor Bernard by numerous writers, is his attachment to 'prerogative.' The Rev. George Bryce, of Manitoba, indeed, styles him 'an astute and dignified Governor, but an absolutist in principle, and a constitutional tyrant.'[3] 'Prerogative,' however, is the favourite word. It is used even by Gilman and Hosmer, who, allowing for their position as denizens of the United States, may be considered friendly to the Governor. And it is also used by an Italian, Botta, and his translator, in a

[1] Fitzmaurice (Lord Edmond), *Life of William, Earl of Shelburne, afterwards First Marquis of Lansdowne, with Extracts from his Papers and Correspondence.*

[2] Boswell, *Life of Dr. Johnson.*

[3] Bryce (Rev. George, M.A., LL.D., Professor of Manitoba College, Winnipeg), *A Short History of the Canadian People*, ch. v. section ii., 'Causes of the American War.'

work which speaks kindly of the Governor, whose character he describes at some length:

> He was a man of excellent judgment, sincerely attached to the interests of the province, and of an irreproachable character; but he was also a defender of the prerogative of the Crown, and wanted the pliancy necessary in these difficult times; ardent, and totally devoid of dissimulation, he could never abstain from declaring his sentiments.[1]

There is one point open to comment in Botta's verdict. It is not easy to understand how any man could honestly be a Royal Governor, without upholding the prerogative—or authority—of the Crown.[2] When Mr. Bernard believed that concession was advisable, he apprised the British Government of his opinion on several occasions; more he could not do; but it is undeniable that he was not always in favour of concession or indulgence. It is, however, refreshing to learn that this Governor, accused of cowardice and duplicity by American nationalists and their English sympathisers, was 'ardent' and 'totally devoid of dissimulation.'

The Governor's son Thomas agrees with Signor Botta as to his open-heartedness, but, unlike him, believes that this quality conduced to his father's safety:

> Though placed in a defenceless situation, exposed to the prejudices of the people, and abandoned to their mercy, no attacks or threats were directed personally at him. The gentlemen of Boston offered to associate for his defence; and though he was officially one of the objects of the periodical invectives of the popular party, the general expression was that no personal resentment existed against him, as what he did was justified by its being his duty. Nothing so much contributed to his security and preservation as that openness and candour of conduct which is here mentioned as his distinguished point of honour; though by some versatile

[1] Botta (Carlo), *Storia della Guerra d'Independensa degli Stati Uniti d'America*. The passage above is quoted from the translation by G. A. Otis, but the word in the original, which is used in the plural, is the same—'prerogative.'

[2] In an English dictionary 'prerogative' is defined 'as an exclusive or peculiar privilege, right, or authority' (Routledge's *Pronouncing Dictionary*, edited by Nuttall).

politicians it has since been stigmatised as the weak point of his political character.[1]

The accusations of cowardice, which have been launched against Sir Francis Bernard from sundry quarters, are disproved by the manner in which he faced the Assembly on critical occasions, the spirit with which he used his veto, and his unflinching discharge of his official duties in the worst times. Belsham, an English admirer of the American revolutionists, has borne testimony to the Governor's courage at the same time that he abuses him for his alleged vehemence:

> The residence of the military at Boston, far from preserving the peace of the town, was the occasion of perpetual tumult and disturbance. The Governor, Sir Francis Bernard, from the violence of his temper, grew every day more obnoxious to the inhabitants, and the licentiousness of the Boston populace seemed to threaten his safety; notwithstanding which, he scrupled not to walk frequently alone and unattended at his villa in the vicinity of the metropolis. On being asked whether he had no apprehensions of danger, he replied: 'No, they are not a bloodthirsty people.'[2]

This anecdote is also given by Thomas Bernard, and both writers ascribe it to the concluding period of the Governor's administration, when the political frenzy had risen to a dangerous point. It is also mentioned by the Whig historian, Gordon.[3]

Very few allusions have been made in these pages to the condition of any province but Massachusetts. Fuller notices might serve to illustrate the situation, but would also complicate the narrative unduly. There was more or less discontent and disloyalty in all the colonies,[4] different as they were in their Constitutions and in the character of

[1] *Life of Sir Francis Bernard.*

[2] Belsham, *Memoirs of the Reign of George III.*, vol. ii. book xvi.

[3] Gordon (William, D.D.), *History, &c., of the Independence of the U.S.A.*, Letter IV.

See ch. xxii. p. 149.

their inhabitants; and there were everywhere turbulent spirits to stir these feelings into action. But Massachusetts took a leading part. Mr. Whately wrote to Mr. Grenville at the very beginning of 1769, concerning events which had, of course, taken place some weeks previously:

> It is hardly news, so much was it in expectation that the spirit raised in the colonies should break out in other places besides Boston, and show the narrowness of their views who think that preventing riots in one place is restoring order and subordination to Government in all. The Assemblies of South Carolina and Virginia have shown their factious spirit so much as to oblige the Governors to dissolve them, in order to prevent their agreeing immediately with the Boston resolution.[1]

An illustration of the threatening attitude of New York will fitly conclude the chronicle of this eventful year (1768). Commodore Hood wrote to Mr. Stephens, Secretary to the Admiralty, on November 25, stating that he had directed Captain Parker to remain at New York till further orders, and adds: 'Disturbances seem again to be renewed there; the General [Gage] and Governor Bernard have been lately burnt in effigy, in a most public manner.'[2]

[1] 'Letter of Mr. Whately to Mr. Grenville, dated January 3rd, 1769,' in *The Grenville Papers*, vol. iv.

[2] 'Copy of a Letter from Commodore Hood to Mr. Stephens, dated on board His Majesty's ship the *Romney*, in Boston Harbour, the 12th of December, 1768,' from 'Letters from Lord Hillsborough, General Gage, Commodore Hood,' &c., in the same volume as 'Letters to the Ministry.'

CHAPTER XXIV

THE LAST MONTHS IN MASSACHUSETTS

Action of the Selectmen—An Address to the King—A plain-spoken Conclusion of a 'Son of Liberty'—Samuel Seabury—Patent of Sir Francis Bernard's Baronetcy—Sir Francis ordered to England to report on the State of his Province—The System of purloining Letters—Grievances of the Council against the Governor—A new Phase of the Conflict—The New Assembly decline to proceed to Business under Military Orders—Removal of Two Regiments to Halifax—A Pressgang Trial—A Committee of the House of Representatives show their Respect to the Governor of New Hampshire—The Selectmen of Boston slight Sir Francis—Sir Francis's last public Appearance in Massachusetts—He embarks for England.

THE year 1769 opened without any prospect of improvement in the relations between the American colonies and the Mother Country. All through the winter a fierce controversy raged in the newspapers. Hosmer names the 'Massachusetts Gazette'[1]—also known as 'Draper's' and the 'Court Gazette'—as the Government organ, and the 'Boston Gazette' as the special exponent of popular views. To this paper Samuel Adams was a constant contributor.

The official letter in which the Governor was bidden to remove all offending magistrates contained an injunction, equally absurd, to inquire into the causes of the late riots and bring the offenders to justice, although the experience of the Stamp Act riots and their sequences might have shown the futility of such an order. The situation was not materially altered by the arrival of a few soldiers, who were inhibited from any demonstration, except in case of an actual rising. General Gage's letter, written almost simultaneously with Governor Bernard's fuller account of the opposition to the quartering of the troops, and giving the General's independent view of the situation, seems, however,

[1] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.'

to have once more roused the attention of the British Government, with the result that, for a short time, the so-called patriots were in dread of being called to account. Hutchinson states that

> something very serious was generally expected. And the King's Speech, upon the meeting of Parliament, which was assembled earlier than usual, and before some of these facts could be known, accorded with this expectation.
>
> The town of Boston was declared to be in a state of disorder and confusion; and their proceedings in town-meetings to be illegal and unconstitutional, tending to sedition and insurrection, and manifesting a design to set up a new and unconstitutional authority, independent of the Crown of Great Britain. The Commons, in their Address, gave the strongest assurances that they would zealously concur in measures for suppressing the daring spirit of disobedience, and enforcing a due submission to the laws; and both the Lords and Commons consider it as their duty to maintain inviolate the supreme authority of the Legislature of Great Britain over every part of the Empire. Private letters from England mentioned a supposed plan of intended measures in Parliament: that there should be a change in the constitution of the Council, and that the members of the House of Representatives should be elected by counties, and not towns; and that the chief promoters of the late measures should be apprehended and carried to England for trial.
>
> It is certain, that, at first it was believed that Parliament would proceed with vigour; and some, who were afraid of being accounted chief promoters, began to exculpate themselves, and to charge others.[1]

The selectmen, acting on behalf of the town, now endeavoured, in two addresses, to extort from the Governor a general exoneration of its inhabitants; but his answers were too guarded to afford them satisfaction. The next move was an address to the King, to be presented by Colonel Barré, the prime advocate of the American nationalists in the British House of Commons.

Soon after these proceedings [continues Mr. Hutchinson] the resolves of Lords and Commons, declaring their sense of the

[1] Hutchinson, *Hist. Mass.*, ch. ii.

transactions in the town and province the year past, accompanied with an address to the King to direct the Governor to take the most effectual methods for procuring full information of all treasons, &c., committed within the Government since the 30th of December, 1767, and to transmit the same, together with the names of the principal offenders, in order to His Majesty's issuing a special commission for trying and determining such offences within the realm, pursuant to the Statute of Henry VIII., if there shall appear to His Majesty sufficient ground for it, were brought to Boston in the public prints.

On this subject Hosmer says:

Through the Duke of Bedford steps were taken toward bringing 'the chief authors and instigators' to trial for treason, and yet the riots at this time in England were beyond comparison greater and more threatening than any disturbances in the colonies.[1]

How, then, was it that they ended so differently? Simply because, in England, the insurgents were dealt with forcibly and speedily,[2] by means which the British Government evidently would not, or dared not, employ in America. And so the result proved disastrous to loyalty.

Bancroft writes:

The Bedford address for shipping American traitors to England having come to hand, a way was open for 'taking them off.' Bernard and Oliver and Hutchinson, with the Attorney-General, collected evidence against Samuel Adams, and affidavits, sworn to before Hutchinson, were sent to England to prove him fit to be transported under the Act of Henry VIII.[3]

The melancholy sequel is best told by Mr. Hutchinson, who lived through these events. He says that, besides the public intelligence,

there came, at the same time, many private letters from persons in England to the principal persons concerned in promoting the

[1] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.'

[2] For particulars of the Wilkes riots see Lecky, *Hist. of England in the Eighteenth Century*, vol. iii. ch. x.; also Belsham's and other Histories dealing with the reign of George III., especially Jesse's. The measures taken were undoubtedly severe, but they restored order.

[3] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxv.

opposition to Parliamentary authority, assuring them that they need not be afraid of the Statute of Henry VIII., which was held up *in terrorem* only, and which even the Crown lawyers did not intend should be carried into execution. Indeed, it was a general opinion that no vigorous measures were intended; lenient healing measures were said to be the plan; and it was agreed that the last Act for duties on paper, &c., would be repealed, if not that session, certainly in the next.

This intelligence gave fresh spirits to the 'friends of liberty,' and perplexed the friends of Government, and especially the servants of the Crown. Few, if any, of them had any share in advising or promoting the measures of Government in England, which the people pronounced grievous. They might even think them not founded in good policy. They were, notwithstanding, obliged to endeavour to effect the execution of them, so far as they were legal and constitutional.[1]

And now, as before, these gentlemen had to suffer for the vacillations of the English Government, while the offenders went scot free. To continue:

It was expected that measures would be taken by Parliament for ascertaining and establishing its authority for the future. Resolves passed, that the execution of the laws had been obstructed, and the lives of the officers of His Majesty's revenue endangered, by acts of violence in the town of Boston; and that the civil magistrates did not exert their authority in suppressing the riots and tumults during which such acts of violence were committed; that the appointment of a Convention by the town, and the issuing of a precept by the selectmen of Boston, were acts subversive of His Majesty's Government, and evidently manifesting a design to usurp a new, unconstitutional, and independent authority.

The information given by the Governor of these facts, and of the authors and abettors, was ample. Hence, when it appeared in America that the degree of the offences was not more fully declared in Parliament; that full information of treasons, &c., was still required; and that a prosecution was to go on 'if there should appear to be sufficient grounds,' it was not expected any further notice would ever be taken.

It was, indeed, soon remarked that the Governor and other persons, who had been engaged in collecting evidence, had relaxed

[1] Hutchinson, *Hist. Mass.*, ch. ii.

their efforts, and the reason was easily surmised; so 'the Statute of Henry VIII.' became a subject of contempt and ridicule. The servants of the Crown upon this despaired of support, and many of them grew very cautious, lest they should incur the resentment of the people.

'The Cabinet were much divided about their American policy, and signs of weakness speedily appeared,'[1] says Lecky. The heterogeneous Grafton Ministry then governed England; and, while it hesitated, the agitators of America were busy in widening the breach between England and her colonies, rejoicing in their complete impunity. 'In Boston,' writes Hosmer, 'the controversy was fast and furious.'[2] It was chiefly carried on by means of the public prints, and the language became ever bolder and bolder.

On the popular side Samuel Adams was the writer most forcible and prolific, and his contributions went also to newspapers at a distance. The following extract is taken from an appeal to the Sons of Liberty prepared on the anniversary of the Repeal of the Stamp Act, and found posted on the Liberty Tree in Providence, R.I. [Rhode Island], on the morning of the 18th of March, 1769. It appeared the same morning in the 'Providence Gazette,' and afterwards in the 'Boston Gazette.' It is the closing paragraph of the appeal, and remarkable from the significant words at the end. It is the first instance, perhaps, where Samuel Adams in any public way hints at independence as the probable issue of the difficulties.

The extract is here given—certainly a plain-spoken conclusion:

'When I consider the corruption of Great Britain, their load of debt, their intestine divisions, tumults and riots, their scarcity of provisions, and the contempt in which they are held by the nations about them; and when I consider, on the other hand, the state of the American colonies with regard to the various climates, soils, produce, rapid population, joined to the virtue of the inhabitants, I cannot but think that the conduct of Old England towards us may be permitted by Divine wisdom, and

[1] Lecky, *History of England in the Eighteenth Century*, vol. iv. ch. xi.
[2] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.'

ordained by the unsearchable providence of the Almighty, for hastening a period dreadful to Great Britain.

'A Son of Liberty.

'Providence, March 18th, 1769.'

'Great efforts,' continues Hosmer,

were made to obtain circulation for the Tory papers (for now the terms Tory and Whig, borrowed from England, had come into vogue); but they had no popular favor as compared with the 'Boston Gazette.' Hutchinson declared that seven-eighths of the people read none but this, and so were never undeceived. The site of the office of Edes & Gill, in Court Street, is really one of the memorable spots of Boston. Here very frequently met Warren, Otis, Quincy, John Adams, Church, and patriots scarcely less conspicuous. In those groups Samuel Adams becomes constantly more and more the eminent figure. Here they read the exchanges, corrected the proof of their contributions, strengthened one another by the interchange of ideas, and planned some of the most remarkable measures in the course to independence.

At this time also Samuel Adams's controversial pen found other subjects than British machinations. His friend Dr. Chauncy becoming concerned in a sharp dispute with Seabury, afterwards the first Bishop of the American Episcopal Church, Adams smote the prelatical adversary with a true Roundhead cudgel. To such as Seabury he was uncompromisingly hostile till the day of his death, though on one remarkable occasion, hereafter to be mentioned, he postponed his prejudice to secure a certain ulterior end. For Mr. Seabury's cloth at this time he shows little respect, declaring that 'he had managed his cause with the heart, though he had evidently discovered that he wanted the head, of a Jesuit!'

Samuel Seabury[1] was the grandson of a colonist who had moved from Massachusetts to Connecticut, and it is with that province and New York that his remarkable history is chiefly linked, although its public developments had a far

[1] Beardsley (E. Edwards, D.D., LL.D., Rector of St. Thomas's Church, New Haven, Conn.), *The Life of Samuel Seabury, D.D., First Bishop of Connecticut, and of the Episcopal Church in the United States of America.* Mention will be found of Dr. Seabury in a subsequent volume of this chronicle. His consecration in Aberdeen was a means of lifting the 'Episcopal' Church of Scotland from the state of persecution and oppression in which it was kept by the English Government.

wider reach. As an uncompromising Churchman he was inevitably obnoxious to Samuel Adams. 'He was,' says his biographer, 'a missionary of the venerable Society for the Propagation of the Gospel, an enthusiastic Royalist, and asserted his political opinions with a sturdiness and ability which in the heats of the Revolution put him in great peril and distress.' To a large body of Americans he became an object of affection and admiration, feelings which have found expression even in the century just closed, and are still shared by some persons in England and Scotland.

In the spring of this year the Governor became 'Sir Francis Bernard of Nettleham, in the county of Lincoln, Baronet.'[1] The patent bears date 'April 5, 1769,'[2] and the news would seem to have been sent early enough to reach Boston about the date of its issue. Neither Mr. Hutchinson nor Thomas Bernard mentions the precise time of arrival; it is, however, implied by the context. The King had ordered the expense of the patent to be paid out of his privy purse.

This [says the Governor's son] was a compliment seldom, if ever, offered, and was proper in the present instance not merely on account of public services, but also of the private circumstances of Governor Bernard. His Government, one of the most populous and important of the American Governments, had never produced him 1,400*l.* a year, and by the cessation of the incidental profits during the troubles had fallen very short of that sum; and the necessary expenses of his Government had increased so much that his salary had not during the last four years of his administration been equal to his ordinary disbursements, so that, in truth, while he had been risking his life and exhausting his health and spirits in the King's service, he had also been diminishing his private fortune.

[1] *Life of Sir Francis Bernard*, where the Baronetcy is said to have been given in March; Hutchinson, *Hist. Mass.*, ch. ii.; Lipscomb, *Hist. Bucks*, vol i. 'Nether Winchendon.'

[2] Debrett, Burke, and other *Baronetages*: 'Bernard,' at one time; from 1818 to 1876, 'Bernard Morland.' It was then generally entered under the letter M, wherever alphabetical order was observed; but became 'Bernard' only once more from 1876 to its extinction in 1883.

The grant of the baronetcy[1] was accompanied by an order summoning Sir Francis Bernard to proceed to England and there report on the state of his province; which was so far discretionary, that the King wished him to complete the arrangements for dividing the salary between himself and the Lieutenant-Governor before leaving. The Governor knew that this matter would not be settled off-hand; he therefore determined to remain through the first session of the new Assembly, in the hope of tiding over any disputes that might arise, and of being able to testify to the peaceable condition of Boston after these debates. On this unselfish conduct Bancroft comments as follows:

> Meantime Bernard received his letters of recall; the blow came upon him unexpectedly, as he was engaging settlers for his lands, and promising himself a long enjoyment of office under military protection. True to his character, he remained to get, if he could, an appropriation for his own salary for a year, and to bequeath confusion to his successor.[2]

Thomas Bernard speaks of his father's summons almost as a matter of course—the result of his previous applications. But from Mr. Hutchinson's account it would seem to have been unlooked for at that particular time, and to have reached Boston at an unfortunate moment for the royal cause. He says that the Governor's recall—in which light the summons appeared to the Americans—

> was considered by the people as a victory which they had gained, and as advised by the Ministry because he was disagreeable to the people. It was said to be part of the plan of lenient measures beginning to be carried into execution. . . . His conduct in every respect had met with the approbation of the King and his Ministers, and in some instances it had been applauded by the Opposition. The King, as a peculiar mark of favour, had conferred on him the dignity of a baronet, without any expense of the patent, and an order to quit his Government could not, at any time, have been more unexpected by him. It might, however, be said to arrive very seasonably. He was just beginning

[1] *Life of Sir Francis Bernard*; Hutchinson, *Hist. Mass.*, ch. ii.
[2] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxvi.

to encounter new difficulties, greater than he had met with before.[1]

One version of the recall[2] is, that it was the consequence of pressure put upon the British Government by British merchants, who chose to hold Sir Francis mainly responsible for their reduced business and the ruin they believed to be impending. It was, in fact, the Board of Trade which took action in the matter. This Board, as may be supposed, was not beloved by the nationalists; yet it now played into their hands. A recent American writer (the Rev. E. G. Porter) states that

much of the mischief brought upon the colonies can be traced to the Board of Trade, a powerful organisation devised originally by Charles II., and re-established by William III. to regulate the national and colonial commerce. Though only an advisory council, having no executive power, its influence with the King and Ministry was such that its recommendations were usually adopted. Burke speaks of this notable body as a kind of political 'job—a sort of gently ripening hothouse—where eight members of Parliament receive salaries of a thousand a year for a certain time in order to mature at a proper season a claim for two thousand.' The Board was intended to make the colonies auxiliary to English trade. The Englishman in America was to be employed in making the fortune of the Englishman at home.[3]

The Governor's 'new difficulties,' mentioned by Mr. Hutchinson, arose from the system of purloining letters, then carried to an extent which produced alarming complications, as the historian of Massachusetts shows:

He had notice from a friend in London, that endeavours were making to obtain copies of his letters and papers, which, his friend said, had been called for in the House of Commons, in order to their being sent to America, to raise the fury of the people against him. Copies had been denied, upon application made for them by Mr. Bollan, as agent for the Council; and the Governor encouraged himself, that care would be taken to prevent any copies from being

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.'

[3] Porter (Rev. Edward G., Pastor of the Hancock Church, Lexington), 'The Beginning of the Revolution' (Winsor, *Mem. Hist. Boston*, vol. iii. ch. i.).

delivered; but it seems that any member of the House has a right to copies of all papers, and, upon a demand made by Alderman Beckford, they were delivered to him, and he delivered them to Mr. Bollan, who selected six, together with one from General Gage, and sent them over to the Council. They were received by one of the Council in Boston on a Saturday evening (April 5th, 1769).[1]

This, it may be remarked, was the very date of Sir Francis Bernard's baronetcy patent—an ominous coincidence. The letters were those written previously to Lord Hillsborough. One of the Governor's letters has been given in full, as also extracts from two others and from the one letter of General Gage, in the chapter on 'The Quartering of the Troops.'

'On Sunday,' continues Mr. Hutchinson,

such of the Council as lived in or near Boston assembled; which had never been known except on a pressing occasion, which could not be deferred without great detriment to the public.

The next day the letters were printed and published.

They were all dated, except that from General Gage, between the 1st of November and the 5th of December, 1768,[2] and contain an account of facts which occurred within that space proper enough for him to communicate to the Secretary of State. The proposals made by him in consequence of these facts were the most objectionable part of his letters in the opinion of the people. He infers the necessity of the King's taking the Council Chamber into his own hands, or, in other words, of his appointing a Royal Council in the stead of that elected by the people; and of an Act of Parliament to authorise the King to supersede all commissions which had been issued to improper persons.

He had been free enough in declaring his sentiments upon these points; and there was no room to doubt that he had expressed the same to the King's Ministers. There seemed, therefore, to be no reason for a fresh clamour against him.

The clamour, however, was considerable, because there were determined men engaged in exciting and maintaining

[1] Hutchinson, *Hist. Mass.*, ph. ii.

[2] General Gage's letter is dated October 31st; the letters of Governor Bernard, November 1st, 5th, and 14th, 1768.

it. In the following letter by Samuel Adams, which appeared in the 'Boston Gazette,' Sir Francis Bernard is compared to Sir Edmond Andros, a Governor imprisoned by the colonists of Massachusetts Bay:

'Your promotion, Sir, reflects an honour on the province itself; an honour which has never been conferred upon it since the thrice happy Administration of Sir Edmond Andros of precious memory, who was also a baronet; nor have the unremitted endeavours of that very amiable and truly patriotic gentleman to render the most substantial and lasting services to this people, upon the plan of a wise and uncorrupt set of m——rs, been ever paralleled till since you adorned the ch—r. . . . Pity it is that you have not a pension to support your title. But an Assembly well chosen may supply that want even to your wish. Should that fail, a late letter, said to have strongly recommended a tax upon the improved LANDS of the colonies, may be equally successful with the other letters of *the like nature*, and funds sufficient may be raised for the use and emolument of yourself and friends, without a dependence upon a military establishment supported by the province at Castle William.

'I am, Sir, with the most profound respect, and with the sincerest wishes for your further exaltation, the most *servile* of all *your* tools. 'A TORY.'[1]

The Council, headed by Bowdoin, composed and forwarded to Lord Hillsborough a letter enumerating their grievances against the Governor. Mr. Hutchinson says:

They charge him with want of candour, with indecent, illiberal, and most abusive treatment of them, with great malignity against them as a body and as individuals, with aiming at exorbitant and uncontrollable power, with a design to represent things in the worst light, with unmanly dissimulation, and with untruth.

At the close of the letter they say: 'It is plain that the people of all ranks, orders, and conditions (with but few exceptions), have lost all confidence in Governor Bernard, and he in them; and we must humbly submit to your Lordship, whether His Majesty's service can be carried on to advantage during his administration.'

This letter was, no doubt, composed by Mr. Bowdoin, who had great influence in Council, and who thought himself ill-used by being named in one of the Governor's letters and pointed out in

[1] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.'

others. He undertook the defence of his particular conduct in another letter, signed only by himself, to the same noble Lord, in which he modestly disclaimed the character of the leader of the Council, as the Governor had represented him to be.[1]

The Council, in its letter, asserted that no Council before had ever been on bad terms with a Governor. This, even if strictly true, was not, as Mr. Hutchinson remarks, necessarily the fault of the Governor with whom it was at variance.

The times were altered. No Governor, before Mr. Bernard, had been obliged to propose measures against which not only the people of his own Government, but of every other Government on the continent, were united. It requires great fortitude to advise to, and assist in, carrying such measures into execution. Besides, before the reduction of Canada, which gave to the colonies a new idea of their power and importance, a dread of an exertion of the power of the kingdom in support of the supremacy of Parliament would have restrained the people from that opposition which, afterwards, they did not scruple to make; and the Council would have had little to fear from their resentment. At this time they had much to fear. Governor Bernard, in one of his letters, says, that one of the Council acknowledged, 'that he did not now enter the Council Chamber with the free mind that he used to have.' One of the Judges of the Superior Court [Peter Oliver] made the like declaration in open court, in words somewhat varied: 'that he was under duresse.'

Once more the Assembly was about to meet; once more the general election produced a feeling of uncertainty and excitement. In this May (1769) 'eighty-one non-rescinders were re-elected.'[2] Five towns—Springfield, Hatfield, Hardwicke, Harwich, Sheffield—chose rescinders; everywhere else they were defeated.

Otis, Cushing, Samuel Adams, and Hancock were elected almost unanimously in town meeting [says Hosmer], and forthwith 'instructed' by the hand of John Adams in the most determined manner. The Assembly, as soon as the members were sworn, neglecting the usual preliminary—the election of the clerk,

[1] Hutchinson, *Hist. Mass.*, ch. ii. [2] *Ibid.*

who, when sworn, superintended the election of the Speaker—adopted a remonstrance prepared by Samuel Adams demanding the removal of the troops. When Bernard alleged that the power did not lie with him, a committee of which Samuel Adams was a member declared, in answer to the assertion, 'That the King was the supreme executive power through all parts of the British Empire; and that the Governor of the province, being the King's Lieutenant and Captain-General and Commander-in-Chief, it indubitably follows that all officers, civil and military, within the colony are subject to his Excellency.'[1]

It was a new phase of the conflict for the Opposition to take an extensive view of the Governor's prerogative; and he declined to accept its conclusions, which were founded on no solid basis.

The election of councillors [writes Mr. Hutchinson] was such as was generally expected. Four of the last year's Council, who were nearly the whole that had not joined the Opposition to the Governor, were left out. The newly elected were all of them strongly attached to the cause of liberty. The Governor disapproved of eleven. Two of them, only, had been of the Council the last year. Four had been repeatedly disapproved, and the other five had not been before elected.[2]

The four excluded loyalists, well-nigh the last friends of England in the Council, were Thomas Flucker, Nathaniel Roper, Timothy Paine, and John Worthington. James Bowdoin was one of the two councillors of the previous year rejected by the Governor; James Otis one of the four repeatedly disapproved; John Hancock and Artemas Ward two of the five newly elected.

In adopting the report [says Hosmer] the Assembly declined to proceed to business under military duress; upon which Bernard adjourned them to Cambridge, urging that in that place the objection would be removed. The Assembly proceeded thither, although in 1728 the power of the Governor to convene the Legislature elsewhere than in Boston had been denied.[3]

[1] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.'
[2] Hutchinson, *Hist. Mass.*, ch. ii.
[3] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.'

It had, however, sat at Cambridge in 1764,[1] when in fear of small-pox, and Lord Hillsborough had recently directed the Governor to summon it to Salem or any other town in preference to Boston. Sir Francis probably thought that the move to Cambridge would be less startling and inconvenient than a longer journey; moreover, Salem had partly lost its reputation for loyalty by returning two rescinders to the House that year. Hosmer continues:

> When the Governor urged them to hasten the proceedings in order to save time and money, the House replied by Samuel Adams: 'No time can be better employed than in the preservation of the rights derived from the British Constitution, and insisting upon points which, though your Excellency may consider them as non-essential, we esteem its best bulwarks. No treasure can be better expended than in securing that true old English liberty which gives such a zest to every other enjoyment.'

The contest now turned on the question of retaining or removing the troops, whose number had been increased by the arrival of the two regiments from Ireland promised in the previous year. The Opposition concentrated its efforts on measures for getting rid of these unwelcome guests, and the comparative quiet produced by the presence of the soldiers was represented as evidence that they were not wanted.[2] Ere long the Governor and the whole body of loyalists were struck with consternation by the intelligence that General Gage had ordered the artillery and two regiments to quit Boston for Halifax, and had directed General Mackay, then at Boston, to remove a third regiment from the town to the Castle, and to consult with the Governor as to the necessity of leaving any soldiers in Boston. The news of these instructions, and of General Mackay's letter to the Governor on the subject, spread like wildfire through the town, calling forth strong conflicting emotions amongst persons of various shades of opinion.

Emboldened by this intelligence, as well as by the

[1] See vol. i. ch. xv. of this work.

[2] *Life of Sir Francis Bernard.* See also Hutchinson, Hosmer, &c.

resolutions lately passed by the Virginia House of Burgesses, the Assembly proceeded further on its path to revolution. Its measures, as Mr. Hutchinson remarks, amounted to a declaration 'that no laws made by any authority in which the people had not their representatives could be binding on them.' The Council agreed on sending another long letter to Lord Hillsborough, passed a resolution heavily charged with abuse of the Governor, and drew up a petition for his removal and the appointment of a successor more agreeable to the people; on which the same historian observes: 'The reasons assigned in the petition were such as, they must know, would not be considered as reasons by the King, or such as it was not in their power to support by evidence.'[1]

Only one regiment had as yet departed. Sir Francis Bernard, thoroughly impressed with the uselessness of consulting his Council, according to rule, in these extraordinary circumstances took the opinion of the principal Government officials, who with one consent pronounced the removal of the troops dangerous. General Mackay, after conferring with the Governor, wrote to Gage for further instructions; whereupon the House altered the wording of its resolution from 'laws'—that is, laws in general—to 'laws imposing taxes'; and this seems to have been taken by General Gage as a sufficient concession to warrant the removal of a second regiment; the other two remained.

It was to be expected that, even if the Opposition kept within certain limits until the Governor's departure, it would, unless restrained by the presence of soldiery, proceed to actual revolt against the Lieutenant-Governor; and the loyalists attributed the subsequent troubles under Hutchinson to the insufficiency of the force retained; the malcontents, of course, ascribed them to the retention of two regiments out of the four.

I have not met with any explanation of General Gage's conduct in this crisis. Whether he yielded to conviction, or to popular pressure, or to the consideration that the troops

[1] Hutchinson, *Hist. Mass.*, ch. ii.

were badly wanted at New York, and whether he was to be considered a free agent, or was hampered by orders from England, I am unable to say. But it is curious that he was himself, a few years later, driven to recognise the impossibility of ruling Massachusetts otherwise than by superior force. In my copy of the printed 'Life of Sir Francis Bernard,' by his son Thomas, I have found a marginal pencil-note on the subject of Gage's proposed withdrawals of the soldiery. It is in the handwriting of the Governor's grandson, Sir Francis Bernard Morland, to whom the book once belonged:

> What has since made this requisition appear the more extraordinary is, that the person from whom it came [Gage], when himself afterwards appointed Governor in 1774, did not think twenty regiments too many to keep the populace in subjection, and that finally, in 1776, the town was abandoned as untenable with that force.

The question of providing for the troops under the Mutiny, or Billeting Act, was still treated with utter scorn by the Representatives. The Governor brought it forward in this session as a matter of duty and justice, but with a clear foresight of its fate. With regard to the other necessary subject of debate—the salary, which, as already stated, should, according to precedent, have been divided between himself and the Lieutenant-Governor during his absence in England—he met with nothing but obstruction and insult. His friends were so certain of the trouble he would encounter, and of the unsatisfactory result that would ensue, as to dissuade him from mentioning the subject to the House; and none, it would seem, more earnestly than Lieutenant-Governor Hutchinson. But the Governor felt bound by the expression of the King's desire; and he must also have perceived, that if this matter was left unsettled, through his neglect to enter upon the topic, it would be in the power of the Opposition to defend the withdrawal of the salary, on the ground that the Representatives had never been asked to provide any during the Governor's absence; and that such a defence was sure to be echoed by English sympathisers,

and to afford the King's Ministers a pretext for throwing all blame on him. The Assembly informed him on this occasion, that it 'cheerfully acquiesced' in his departure[1]—that it was assured the King would turn against him, when informed how much British subjects had suffered under his administration; and, finally, that it refused to allow any salary either to himself or the Lieutenant-Governor after the day of his departure.

Bancroft says that Sir Francis at this time, 'sure of the Royal protection and blinded by avarice, was mainly intent on getting a year's salary.'[2] He accuses him of mixing 'some mistrust of Hutchinson with his sudden recall.' Of this 'jealousy,' as the historian elsewhere terms it, he states that there is evidence in letters between Andrew Oliver and Hutchinson and between Hutchinson and Bernard. There may have been some difference of opinion; but only a little further on Mr. Hutchinson is stigmatised as avaricious also, and, what is more singular, as writing to Under-Secretary Pownall: 'I have lived in perfect harmony with Governor Bernard'; while Bernard wrote to Lord Hillsborough: 'The Lieutenant-Governor well understands my system.'

Another trouble of this last session sprang from the resistance which had been offered, some six or seven leagues from land, to a press-gang from the *Rose* man-of-war by several seamen on a brigantine, who declared that they preferred death to slavery.[3] In the course of the affray one man was shot through the arm, but Lieutenant Panton was killed by a stab from a harpoon. It appears from Hutchinson's Diary[4] that the Governor had acceded to a request made by James Otis, who with John Adams was counsel for

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] Bancroft, *Hist. U.S.* (Routledge's Edn.), ch. xli. and xlii. In the later edition of Bancroft these accusations are either omitted or considerably softened. 'Barnard threatened to give his assent to no act which the grant of his salary did not precede.' Edn. 1885. Epoch. ii. ch. xxvi. From this period Mr. Hutchinson, being in a very prominent position, comes in for a large share of abuse in the pages of Mr. Bancroft's History.

[3] Hutchinson, *Hist. Mass.*, ch. ii. Also other Histories of the time.

[4] Hutchinson, *Diary and Letters*, vol. i. ch. ii.

the seamen, for a trial by jury, but that Hutchinson, in his capacity of Chief Justice, showed him that such a proceeding would be contrary to Acts of Parliament; and he was therefore compelled to revoke his permission, making the grounds of this alteration public. Hutchinson says that the law was so plain as to leave no doubt upon the subject. The seamen were eventually tried by a special Court of Admiralty, and the Governor of New Hampshire came into the Province of Massachusetts as one of the Commissioners of this Court. His visit was seized by the Opposition as an occasion for insulting its own Governor. The distinguished guest was invited to an entertainment, got up in his honour at Cambridge, by one of the councillors who had just been negatived; and the members of the Council in a body, taking advantage of their character as overseers of Harvard College, waited on him with their congratulations.

The House of Representatives appointed a committee of nine of their members, Mr. Otis at their head, to acquaint him, that the House would be glad of an opportunity for waiting on him, and showing him the respect which was due to his station and merit. The Speaker presented each member to him by name.

The original excuse for a demonstration was, that Governor Wentworth had been a college friend of John Adams; but this fact was obviously inadequate to account for such public proceedings, and the impelling force must be sought elsewhere.

The motive to this display of their regard [as Mr. Hutchinson explains] appeared in the next newspapers, where the Governor of New Hampshire is styled 'the worthy representative of his Majesty, and a favourite of the people'; and a remark follows that, 'however the people of this province may have been represented as inimical to any who may chance to wear His Majesty's commission, the world, in this instance, may be clearly convinced, that the spirit of disgust arises, not from the commission with which our most gracious Sovereign thinks it fit to honour any of his subjects, but from the dislike to those whose deportment is unworthy of the royal favour.'[1]

[1] Hutchinson, *Hist. Mass.*, ch. ii.

Governor Wentworth had probably at this time—he certainly had in 1772[1]—seven of his own relatives in his Council. If Bernard, or even the American-born Hutchinson, who was Governor in the year just named, could have been accused of such an offence, what capital would not the nationalists have made of it! To the question of private conduct Wentworth's admirers were evidently indifferent; he had given rise to scandal by his relations with Mrs. Atkinson, a cousin, and wife of another cousin (the New Hampshire Secretary),[2] whom he married, a fortnight after her first husband's death, in the November of this same year (1769).

Mr. Hutchinson states that the change in the mode of trial was unpopular, but that, as the seamen were acquitted, the excitement soon died away. It was, however, unfortunate that instances of this barbarous practice of impressment should envenom the already irritated feelings of the populace.

Not long after the Cambridge demonstration, another slight was put upon Sir Francis Bernard by the selectmen of Boston, who, in violation of an established custom, omitted to request his presence at the Annual Visitation of the Schools, although they extended their invitations to the General and Commodore.[3] The former—General Mackay—sent an excuse. Commodore Hood went, but took the opportunity of informing such of the town representatives as were present that, in consequence of his amazement at the wording of their resolutions, instead of removing his ships as they desired, he should send for more. This intimation led to a speedy reconsideration of the resolutions.

Thomas Bernard admits that his father's position had now become one 'of continued and imminent danger,'[4] and then relates the anecdote already quoted from Belsham. As he justly observes:

[1] Sabine, *The American Loyalists*, 'Livius (Peter).'
[2] *Ibid.*, 'Atkinson (Hon. Theodore, junior).'
[3] Hutchinson, *Hist. Mass.*, ch. ii. [4] *Life of Sir Francis Bernard.*

When a single individual is pointed out by his official situation and necessary conduct to the indignation of a jealous and irritated people, who can fix the limits of their fury and say, 'Thus far shalt thou go, and no farther'? He was not insensible to danger; but he conceived that his own existence, and the continuance of any form of government in the province, depended on his acting as if he felt no apprehension; and when friends, who were personally attached to him, reported the threats of some of the leaders of the populace, and expressed their anxieties and apprehensions for his life, he answered very calmly, 'No, they are not a bloodthirsty people.'

Time dragged wearily on in this summer of 1769, the Assembly doing as little as possible, and especially refusing to make provision for the soldiers, a matter which the Governor much desired to see settled ere he left. Mr. Hutchinson relates that

The session had continued three weeks longer than usual, owing, if the Governor's opinion declared in his speech was well founded, to their putting a stop to all real business, upon the most trifling pretences, and endeavouring by all means they could to oblige him in the course of his duty to put an abrupt end to the session before they had permitted even the necessary business of the province to be brought before them.

He closed his speech and took a final leave of them by referring to the King, and, if he pleased, to his Parliament, the invasion of the right of the Imperial Sovereignty, and by observing that by their acts they would be judged. They did not need to be apprehensive of misrepresentations, for it was not in the power of their enemies, if they had any, to add to their own publications, which were plain and explicit, and needed no comment.

He thought it more advisable to prorogue the Assembly for a long time than to dissolve. If it should be thought proper, there would be time enough for the King to order a dissolution before it could be again regularly convened.

Thus ended the controversy between Governor Bernard and the Assembly, within the colony.

Mr. Hutchinson once more animadverts strongly on the process of intimidation, then carried on with increasing activity, asserting his belief that many persons who still held, and indeed expressed, at all times a good opinion

of the Governor had been frightened into keeping away when they should have supported him, and even into signing the letters to Lord Hillsborough censuring his conduct and the petition for his recall. 'Liberty was the general object at that time; but it is certain that every supposed advance towards it brought a restraint upon freedom of judgment in the manner of attaining it.'

And now the month of July had begun; the Assembly was prorogued until January 10, 1770; and the Governor was busy with preparations for his departure. On the 4th of the month a town meeting was held,[1] by which everyone was declared an enemy who had in any way assisted in obtaining or retaining troops. This was of course intended as a parting shot at Sir Francis Bernard. It may, therefore, be easily imagined that he was in no mood to attend the Commencement at Harvard in accordance with usage; but he yielded to the advice of friends on this point, and Mr. Hutchinson is able to say that 'When he had gone through it without any insult worth notice from the rude people, who always raise more or less tumult on that day, he thanked his friends for their advice.'

It was then customary [writes Bush], as generally now in our colleges, for the candidates on their programmes to dedicate their theses to the Governor, and to other distinguished patrons and scholars who were expected to be present; and in their salutatory and valedictory orations to address with proper compliments 'all persons and orders then present,' and make suitable reference to the most remarkable occurrences of the preceding year.[2]

The painful tension of the moment must have made this ceremony difficult of execution in 1769; but, since the Governor was spared annoyance, it must be assumed that the topics were skilfully handled, and it is satisfactory to think that his last public appearance in Massachusetts was at Harvard.

Only a few days before the time fixed for his homeward

[1] Hutchinson, *Hist. Mass.*, ch. ii., and other histories.

[2] Bush (George Gary), *Harvard, the First American University*, 'Commencement Day.'

voyage[1] Sir Francis received a circular from the Earl of Hillsborough, announcing the intended repeal of the duties on glass, paper and paint; and one of his last acts of administration consisted in making this intention known, and with it the assurance of the goodwill of the British Government towards the American colonies which accompanied it. He had not the satisfaction of believing that this measure would ensure peace; some moderate nationalists may have been inclined to accept the concession cheerfully, but it simply exasperated the violent party, which argued, stubbornly but not illogically:

> The true reason why the duty on tea is to continue is to save the right of taxing. Our acquiescence in the repeal of the rest will be construed into an acknowledgment of this right. The fear of trouble from the discontent of merchants and manufacturers, upon our non-importation agreements, has brought the Ministry to consent to this partial repeal. A vigorous enforcement of these agreements will increase the fear, and we shall certainly carry the point we contend for and obtain the repeal of the whole.
>
> A meeting of the trade was called in Boston. Men who had no concern in trade had the greatest influence in this meeting. . . A committee was appointed to procure a subscription of the nhabitants of the town not to purchase any goods from persons who have imported them, or who shall import, contrary to the agreement, and another committee to inspect the manifests of cargoes of all vessels arriving from Great Britain, and to publish the names of all importers, unless they immediately deliver their goods into the hands of a committee appointed to receive them.[2]

It was not in Sir Francis Bernard's power to postpone his departure any longer, because he had recently received a more pressing order for his return to England;[3] yet, by an unfortunate chain of circumstances, he was obliged to bequeath the administration to Lieutenant-Governor Hutchinson 'in the midst of these proceedings, tending to, and actually producing, great discord and an unjust invasion of

[1] Hutchinson, *Hist. Mass.*, ch. ii.

[2] Hutchinson, Bancroft, Hosmer, &c.; *Life of Sir Francis Bernard.*

[3] See next chapter, 'Letter from Mr. Knox to Mr. Grenville.'

property, in defiance of the laws and contempt of the powers of government established,' as Mr. Hutchinson himself expresses it. Had the Governor seen his way to remaining, however, the step would have further irritated the people; and by hastening to England he secured the opportunity, sought long before, of telling his side of the story *viva voce* to the Ministry.

> [He] embarked on board the *Rippon*, a man-of-war ordered from Virginia to convey him, and sailed for England. Instead of the marks of respect commonly shown, in a greater or less degree, to Governors upon their leaving the province, there were many marks of public joy in the town of Boston. The bells were rung, guns were fired from Mr. Hancock's wharf, Liberty Tree was covered with flags, and in the evening a great bonfire was made upon Fort Hill.[1]

This was a sad ending to nine years of laborious and anxious administration; but it may be hoped that some Boston loyalists, in spite of their new masters, had the courage to bid the Governor farewell on that evening of July 31 when he left his pleasant country home near Roxbury, and, accompanied by his son Thomas, with perhaps other members of his family, wended his way to the Castle, to be ready for embarkation on the following day, August 1, 1769. Possibly some staunch friends were with him on the deck of the vessel until the last moment, in whose sympathy he found consolation for sights and sounds which must have jarred upon his feelings, and were of set purpose arranged to aggravate his sorrow in parting, for an indefinite time, from his nearest and dearest.

It may be supposed that Bancroft does not dismiss the Governor without a last volley of strong epithets. He states that Sir Francis quitted the colony 'having completed his pecuniary arrangements with Hutchinson'—although it is

[1] Hutchinson, *Hist. Mass.*, ch. ii. Mr. Hutchinson states that Governor Shute left even more privately than Governor Bernard. The people, indeed, could not insult him because they did not know of his departure; and they abstained from adverse demonstrations when it became public.

tolerably clear that the Assembly had not left him any to complete—and continues: '"He was to have sent home whom he pleased,"' said the Bostonians, apparently in the '"Boston Gazette,"' "but the die being thrown, Sir Francis Bernard is the rogue to go first."' Next follows a paragraph resuming all the abuse lavished on the Governor, through several chapters of Bancroft's History, for alleged quarrelsomeness, parsimony, avarice, duplicity, treachery, and cowardice.

The dismissal of a Governor, who failed to indulge all the wishes of the people, was not, indeed, unknown in Massachusetts; the residence of several Governors had been shortened in this manner.

> It was well known in America [says Mr. Hutchinson] that the surest way for a Governor to keep from hazard of removal was by keeping upon good terms with the people of his Government; and even addresses for the continuance of a Governor, though they always carried with them ground of suspicion, had in many cases been serviceable for that purpose; but there have been times, and this was one, when it has not been possible for a Governor to preserve the favour of the people and the approbation of his own conscience at the same time.

All recent American authors do not write in the tone of Bancroft; there are some able to reason calmly on the events of the Revolution, though undoubtedly from an American standpoint. Of these Hosmer and Gilman are known to me. Gilman says of Sir Francis Bernard:

> This Governor's character has been blackened by writers since his day, as it was at the time; but he was apparently an honest supporter of prerogative, and not an unprincipled trickster, as he has been represented. He had education, refinement, and good taste; but he did not know how to govern Massachusetts in a way that would please its citizens.[1]

And he makes the very obvious remark: 'It is not easy to say, even now, how any man could have filled the place that he held to the satisfaction of Samuel Adams and King

[1] Gilman, *The Story of Boston*, xxi., 'In the Grip of the Army.'

George at once,' adding: 'He is credited with having brought about the Revolution by his injudicious management of affairs; but it is probable that the Revolution would not have been greatly retarded by the most judicious Governor that England could have sent to Massachusetts.'

Hosmer's lengthier summary is specially valuable, because he is the biographer and eulogist of Samuel Adams. It runs as follows:

Francis Bernard was an honourable and well-meaning man, and by no means wanting in ability. As with the English country gentlemen in the eighteenth century in general, the traditions of English freedom had become much obscured in his mind. He leaned toward prerogative, not popular liberty, and honestly felt that the New Englanders were disposed to run to extremes that would ruin America and injure the whole Empire. Where among the rural squires or the Oxford scholars of the time can be found any who took a different view? This being his position, no one can deny that during the nine years of his incumbency he fought his difficult fight with courage, persistency, and honesty. He leaned as far as such a man could be expected to lean toward the popular side, showing wisdom in 1763 and 1764, as we have seen, in trying to procure a lowering or abolition of the duties in the Sugar Act, and regarding the Stamp Act as most inexpedient. The best friends of America in Parliament, like Lord Camden, extolled in strong terms his character and good judgment. His refined tastes and good dispositions were shown in his interest in Harvard College. After the fire of 1764 he did what he could from his own library to make good the loss of the books which had been burned; certainly the alumnus in whose youthful associations the plain but not ungraceful proportions of Harvard Hall have become intimately bound may have a kind thought for its well-meaning and much-maligned architect. The accusations of underhand dealing that were brought against him will not bear examination.

. . . The changes he advocated were that the provincial Governments should be brought to a uniform type; the Assemblies he would have remain popular, as before; but for the Council, or Upper House, he recommended a body made up of a kind of life peers appointed by the King. He recommended also that there should be a fixed civil list, from which the King's officers should derive a certain provision, declaring that in the existing state of things it was impossible to enforce in the colonies any unpopular

law or punish any outrage favoured by the people, since civil officers were mainly dependent on annual grants from the Assembly. For a prerogative man such views were not unreasonable; certainly Bernard had made no pretence of holding others. He was, however, bitterly denounced and insulted.

As the Baronet of Nettleham was borne out to sea that quiet summer evening, amid the pealing bells, the salvoes of cannon, and the glare of the great bonfire on Fort Hill, the populace of Boston, as it were, shouted after him their contumely. Fine Shakespearean scholar that he was, one may well believe that the bitter outbursts of Coriolanus against the common cry of curs, whose breath was hateful as the reek of rotten fens, rose to the lips of the aristocrat. Neither side could do justice to the other.

The student of history knows well that mutual justice and forbearance are in such cases not to be expected. They were the fighters in a fierce conflict, and of necessity bad blood was engendered. A different tone, however, may be demanded at the present time. When a writer, after the lapse of a hundred years, declares, 'He displayed his malignity to the last, and having done his best to ruin the province, and to reap all possible benefit from its destruction, took his departure,' [1] one feels that a well-meaning man is pursued quite too far, and the desire for fair play suggests the propriety of a word or two in his favour.[2]

This is honourable testimony from an American point of view, though in one respect Hosmer has misunderstood the facts of the case. Sir Francis Bernard inherited the traditions of an old gentleman's family, but he had not been reared in indolence, luxury, or the pride of estate; he had worked his way as laboriously, to say the least of it, as most of his opponents. That he had much sympathy with suffering and toiling humanity in every station is probable from several touches in his life, as well as from the subsequent career of the son [3] who was his constant companion, trained as it were under his own eye; it by no means followed that he should play into the hands of Adams,

[1] Wells, *S. Adams*, i. 266, quoted by Hosmer as above. Wells was grandson of Samuel Adams.

[2] Hosmer, *Samuel Adams*, ch. ix., 'The Recall of Bernard.'

[3] The particulars of Sir Thomas Bernard's beneficent career will, as already noted, be found in the subsequent volumes of this family chronicle.

Otis, Hancock, and others of the same stamp; there was no connection between the two ideas.

Moreover, whatever may have been the temptation of the persecuted Governor to indulge in bitter and scornful feelings, it does not appear that such feelings were ever suffered to gain the mastery. In his answer to the petition from the Assembly to the King impeaching his administration, he states that: 'Having been honoured with His Majesty's approbation of his whole conduct, and with that of the two Houses of Parliament of some principal parts of it, he shall leave it to the Province of Massachusetts Bay to do him justice at their own time.' And he continued firm to this determination; during the remainder of a life blighted and shortened by the deeds of the American revolutionists, it is not on record that he ever spoke otherwise than temperately of their behaviour to himself. Had he sought in Shakespeare's works for lines in which to embody his settled resolution on this subject, he would have selected them, not out of the stinging utterances wrung from Coriolanus by his injuries, but amongst the calm parting words of the betrayed Buckingham:[1]

> I as free forgive you
> As I would be forgiven; I forgive all;
> There cannot be those numberless offences
> 'Gainst me, I can't take peace with. . . .[2]

[1] Edward, last Duke of the House of Stafford.

[2] *Henry VIII.*, Act ii. scene i. In some texts the last line is printed 'Gainst me, that I cannot take peace with. . .'

CHAPTER XXV

A TIME OF SEPARATION

Arrival of Sir Francis Bernard in England and his Reception by George III.—The Petition of the House of Representatives of Massachusetts impeaching Sir Francis presented to the King—Sir Francis resigns the Governorship—His Treatment by the British Government—His promised Pension—Lord North's Cabinet—Benjamin Franklin appointed Agent for Massachusetts—A scurrilous Report in the 'Boston Gazette'—Lady Bernard and her Children—A 'Black List' of Importers—The 'Boston Massacre'—Sale of Sir Francis's Furniture, &c., in Massachusetts—Death of young Francis.

SIR FRANCIS BERNARD, as already stated, sailed from Boston on August 1, 1769. He reached England after a favourable voyage of thirty-one days.[1]

While he was still tossing on the Atlantic Ocean, another anniversary of the Stamp Act Riots had been honoured in Boston,

at which there were present, besides Otis, Adams, and Hancock, John Adams and visitors from Philadelphia, with whom the Bostonians had sympathetic converse. Two tables were laid in the open field, by the barn near Robinson's Liberty-Tree Tavern at Dorchester, and there were three or four hundred plates. Three large pigs were 'barbecued'; there were toasts and thunders of cannon; Francis Bernard and the Commissioners—'infamous calumniators of North America'—were denounced as worthy of condign punishment; 'strong halters, firm blocks, and sharp axes' were spoken of as appropriate for the 'taskmasters' of America; and all was life, patriotism, and jollity. . . . Hancock led the procession in his chariot on this occasion, and the line extended a mile and a half behind him.[2]

To return to the Governor in England. His son Thomas, who accompanied him, states that he was gra-

[1] *Life of Sir Francis Bernard.*

[2] Gilman, *The Story of Boston*, xxi., 'In the Grip of the Army.'

ciously received by King George III., and that the Earl of Hillsborough treated him, not as a mere functionary, but as a valued friend. He also implies that Lord Barrington was at hand to welcome him, and to promise him support through the difficulties he still had to encounter. All this, however, took time. According to the tenor of the following letter, he had not seen either of these noblemen at the time when he had an interview with Mr. Whately, apparently on September 21; after which Mr. Whately wrote to Mr. Grenville:

I have seen Sir F. Bernard, and had a longer conversation with him than any of the Ministers; he has been admitted to none, I understand, but the Duke of Grafton; he did not see his Grace till Wednesday last, and then only for ten minutes. The Duke told him that as Lord Hillsborough was in Ireland he would not detain him from an excursion into the country for a fortnight, so indifferent are the Ministers to the information they might receive from this gentleman.

Sir Francis said to me that all the heats in America might still be quieted, but it must be by Acts, not resolves, of Parliament; that the party at Boston when he came away were very alert and triumphant; the inanity of our resolves and the concessions of the circular letter from Lord Hillsborough were the grounds of their joy; and that he doubts whether, having now none but Americans in office, the resistance on the part of Government will be so firm as when he was there. I do not give him so much credit for his personal importance as he assumed, and have myself great reliance on the temper and steadiness of Hutchinson.[1]

It has been seen that Mr. Hutchinson was sometimes in favour of conciliation or acquiescence, when Sir Francis believed that such a course would only embolden the Opposition. This may have been a general tendency of officials reared in America, and was very natural. It was also natural that some persons in England should favour the same view. Mr. Whately adds: 'Sir Francis is very happy in the approbation which all Ministers have shown of his conduct, and he expressed himself as greatly obliged

[1] 'Letter from Mr. Whately to Mr. Grenville,' September 22, 1769, in *The Grenville Papers*, vol. iv.

to you for the honourable testimony you had given of it in the House.'

It is probable that Sir Francis employed the 'fortnight,' suggested by the Duke of Grafton as suitable for a trip to the country, in visiting Nether Winchendon, with his son, to embrace the two daughters he had left in England. Many stirring tales must he have told there of his American experiences, which seem still to haunt the place with memories of suffering and ingratitude. It is said that their good foster-mother, Mrs. Beresford, gently reproached him with not having been created a baronet as 'Sir Francis Bernard of Nether Winchendon,' instead of 'Nettleham,' although he knew that she intended to leave him her house and land; to which he replied that he could not suggest the name of a locality in which he had no interest at the time.

The Governor may have found it possible to pay Lord Barrington a visit, either in Berkshire or Essex, about this date, or he may have met him in London on his return. The following paragraph must have been written soon after, in a letter to Mr. Grenville, by Mr. Knox,[1] 'a zealous supporter of British authority against America,' and, the following year, Under-Secretary for the American Colonies:

> A ridiculous story is told about town as coming from Sir Francis Bernard. He says he was ordered to come home with the utmost expedition, as he was told that no colony measure could be taken till he was consulted with, and that everything was suspended on that account. He says he has now been here six weeks, and he has not yet seen the Secretary of State for America, nor has he had one conference with the Ministers upon any public measure.[2]

[1] Note by the Editor of *The Grenville Papers* (Mr. W. J. Smith) to a Letter of November 25, 1765, from 'Mr. Knox to Mr. Grenville' (in *The Grenville Papers*, vol. iii.). Of this Mr. Knox it is stated, in the note, that 'His principal performance was a tract entitled *The Present State of the Nation*.' He also wrote 'A Letter to a Member of Parliament, wherein the Power of the British Legislature and the Case of the Colonists are briefly and impartially considered.' The same note mentions that Mr. Knox became Under-Secretary of State to Lord Hillsborough. See also vol. iv. of *The Grenville Papers*.

[2] Letter from 'Mr. Knox to Mr. Grenville,' dated 'London, October 18, 1769,' in *The Grenville Papers*, vol. iv.

'The Petition of the House of Representatives of Massachusetts Bay to the King's Most Excellent Majesty,'[1] impeaching Sir Francis Bernard for misgovernment, seems to have reached England at the same time as the Governor. It was published in the London paper on September 4, and presented to the King on the 14th. 'Sir Francis Bernard petitioned His Majesty to appoint a day for the hearing, and the 27th of January, 1770, was appointed.' This fresh ordeal he seems to have awaited with calmness and confidence. From friends in America he received cheering letters and messages.

On November 15 Secretary Oliver wrote from Boston:

Sir,—I had this day the pleasure of receiving your letter by Captain Bruce, who brought me the first intelligence of your arrival in England, and I sincerely congratulate you on the gracious reception you met with from His Majesty, which your friends here look upon as an omen of future favours. A number of us dined to-day with Judge Auchmuty at Roxbury, where we drank your health, and there appeared to be a cordial re brance of you. The Lieutenant-Governor tells me he sen the newspapers, by which you will see that you and others, ser of the Crown, continue to be abused. . . .

Mrs. Oliver and I drank tea with Lady Bernard the day l yesterday, and found her very well. I delivered your le · tor her by Bruce to your son, Mr. John Bernard. My brother, J Oliver, is now with me, and desires his respectful compli may be presented to you.[2]

On November 21 the Secretary writes to Sir Francis:

. . . . It gives me the greatest pleasure to observe that thi fall out so much to your wish, and that you are so : y to encounter the Remonstrance which has been presented i you. I think you will not want living witnesses on the ot to invalidate some of the articles alledg'd [*sic*], while others ot defeat their own purpose. I shall rejoice to hear of a happy

The loyalists of Massachusetts were now reviving in

[1] *Life of Sir Francis Bernard.*

[2] Hutchinson (Governor), *Diary and Letters*, vol. i. ch. i., from which th four successive extracts from letters immediately following are taken.

spirit, and no doubt rejoiced in imparting their hopes to the citizens of other colonies. Secretary Oliver, on the 22nd, announces to Peyton Randolph, of Virginia, that '. . . our Governor was got home, and had been admitted twice to conference with the King, by whom he was graciously received.' And on December 26, when the time for hearing the Petition was approaching and the Governor's enemies were becoming desperate, he writes to some person not named:

> The Lieutenant-Governor tells me he forwarded my letter from Rutland by way of some outport. The principal occasion of my writing it was to inform you that the Speaker had a letter by Captain Hull to Mr. De Berdt, dated in September last, telling him that if the province could prove any acts of oppression Governor Bernard had been guilty of, or could make out any damages they had sustained thereby, and would send him over a power of attorney, he would prosecute him now he was in England. It was by accident I heard this letter read the evening it came to hand, but have heard no more of it since; and it betrays such a falling off, or doubt concerning the validity of what has been transmitted that I question whether it will be made public or not.[1]

The subsequent history of the Petition was as follows:

> On the 17th of January [1770] the agent petitioned for further time; his request was granted, and the 28th of February appointed, which was afterwards confirmed as the day for hearing, notwithstanding the agent for the prosecution had preferred a second petition for further time.

The seventeen heads of the Petition have all been touched upon in the course of the preceding chapters; they may be shortly summed up as follows:[2]

[1] As the preceding letter was addressed to Peyton Randolph, and there is no intimation in the *Diary and Letters* of this being intended for a different person, it might be taken as written to him; but it is hardly the sort of communication that Secretary Oliver would make to a Whig like Randolph, Speaker of the Virginian House of Burgesses and First President of the Continental Congress in September 1774. Bancroft, *Hist. U.S.*, Epoch iii. ch. iii. and xi.; Fiske, *The Critical Period of American History.*

[2] This account is abridged from 'The Petition of the House of Representatives of Massachusetts Bay to the King's Most Excellent Majesty.'

1. Treating the Representative Body with contempt. 2. Charging both Houses 'with oppugnation against the Royal authority.' 3. Indiscreetly and wantonly exercising the prerogative of the Crown by negativing councillors. 4. Declaring that certain seats at the Council Board shall be kept vacant till his favourites are re-elected. 5. Interfering with and influencing elections, especially in the choice of an agent for the colony. 6. Displacing gentlemen merely because they voted 'with freedom and against his measures.' 7. Granting a charter for a college. 8. Sending over to the Ministry depositions privately taken against gentlemen of character. 9. Very injuriously representing his Majesty's 'loving subjects of the colony in general as having an ill-temper prevailing amongst them, &c.' 10. In his letters charging the majority of His Majesty's 'faithful Council in the colony' with avowing 'principles of opposition to the authority of Parliament,' and acting in concert with the real party of opposition. 11. Declaring that a plan had been laid for seizing Castle William. 12. And by his representations inducing the Houses of Parliament to declare a military force necessary in Boston. 13. Using the room where the representatives met for a barrack. 14. Endeavouring to quarter troops in the town. 15. Dissolving the Assembly at a most critical season, and refusing to call another for ten months. 16. Endeavouring, as appeared by letters to Lord Hillsborough, to overthrow the Constitution of the colony, and deprive the people of their invaluable charter rights. 17. By these means and many others rendering his Administration odious to the whole body of the people.[1]

The Petition concludes:

Wherefore we most humbly intreat your
Excellency Sir Francis Bernard, Baronet, may
moved from the Government of this provi
Majesty would be graciously to
worthy to serve the greatest and

This document was signed by Thomas
Speaker; but, interspersed though it is with
devoted loyalty, Samuel Adams is known to
principal hand in its composition.

And now came the time fixed for the trial.

[1] Appendix to *Select Letters*.

This business was brought to an hearing before the Committee of the Privy Council on the 28th of February, 1770, when the Governor attended with counsel, prepared to support with evidence all the allegations contained in his Answer which stood in need of proof.[1]

'Sir Francis Bernard,' says his son,

did not deny the charges; he justified the acts imputed to him as acts of duty, prescribed and approved by his Sovereign. When, therefore, on the day of hearing the agent petitioned for seven months' further time, in order, as he suggested, to prepare proofs of the charge, and declined to proceed in the prosecution unless that time was granted to him, the Committee of the Privy Council rejected the prayer of his Petition, and Mr. De Grey desiring to be heard as counsel on the part of Sir Francis Bernard, the Lords said it was perfectly unnecessary; and after an adjournment of eight days made their report to His Majesty, who thereupon ordered the complaint to be dismissed as 'groundless, vexatious, and scandalous.'[2]

Soon after this decision, Sir Francis Bernard resigned his appointment as Governor of Massachusetts. He probably now had an interval of leisure and enjoyment, in which he was able to visit old friends and old haunts. Lincoln and its neighbourhood, still inhabited by some old associates, and endeared by memories of former days, would be one of the spots revisited; it is possible that the ex-Governor even entertained the thought of settling there. That he would also spend some of his time at Nether Winchendon may be assumed. Unfortunately, this peaceful recess was of short duration, and it now becomes necessary to advert to the treatment which Sir Francis had to endure from the British Government under successive Ministries, and which formed a gloomy sequel to his painful experiences in the province he had quitted.

[1] From a short account of the proceedings in the Appendix to *Select Letters*. 'The Answer of Sir Francis Bernard, Bart., &c.,' is given at full length in the same volume.

[2] *Life of Sir Francis Bernard.*

Thomas Bernard's narrative, to which allusions have already been made, is here given in full:

After eleven years' residence in America [writes this son], Sir Francis Bernard returned to his native country very little increased or diminished as to his private fortune, but a very bankrupt in health and spirits. While his intellectual faculties were urged to action by the momentous and important transactions in which he was engaged, his force and vigour of mind had not deserted him: the power of exertion was extended and continued by the necessity that called for it. The orders transmitted to him from England in April 1768 being of a nature to leave no expectation that he could long continue in the province after the publication of them, the Secretary of State, in his official letter to Sir Francis Bernard on the occasion, had assured him that 'as it was not His Majesty's intention that a faithful discharge of his duty should operate to his prejudice, or to the discontinuance of any of the necessary establishments, proper care would be taken for the support of the dignity of Government.'[1] This was further explained to him by a subsequent letter from the Under-Secretary of State, wherein he informed Governor Bernard that one of the intentions of Administration was that[2] he should be created a Baronet at the public expense, and should have leave to come home, with an allowance equal to his Government, until otherwise provided for. The baronetage was accordingly granted to him, and discretionary orders sent him to return to England.[3]

A baronetcy, as Sir Francis explained on a subsequ occasion, was an honour which required some fortune for its support. Without adequate means 'the honour, i of a benefit, would be a burden.'

The narrator proceeds to mention the King's f reception of the Governor on his arrival in Eng id, the Earl of Hillsborough's friendly greeting, and the kind of Lord Barrington, who informed Sir Francis, 'by l Hillsborough's desire, that he was to have a pension o 1,000*l.* clear; adding that Lord Hillsborough after

[1] 'Letter from the Earl of Hillsborough to Governor Bernard,' dated April, 1768 (quoted in the *Life of Sir Francis Bernard*).

[2] 'Letter from Mr. Secretary Pownall to Governor Bernard,' dated February, 1769 (quoted in the *Life of Sir Francis Bernard*).

[3] *Life of Sir Francis Bernard.*

confirmed it to him, as a matter determined upon by Administration.'

Then comes the fatal conclusion:

After a detail of these circumstances it will appear hardly credible (but the fact may be ascertained by reference to the Treasury books) that the pension which the Lords of the Treasury appointed to Sir Francis Bernard, on his return to England, amounted to nearly or about the clear annual sum of 500*l.* It was in vain that he pleaded his long services, his severe sufferings, his health impaired, his family increased, and his fortune unimproved; it was in vain that Lord Hillsborough was appealed to, and averred the King's promise. The pensions of the year were arranged and the annual list occupied by other objects. Under an affront so aggravated and so unmerited the advice of those who were privy to the transaction was that he should immediately retire into the country, and neither receive favours from or hold communication with those who had so cruelly injured him. His answer was, 'You forget that I have nine children!'

In the pride of health and strength, conscious of ability to battle with the world, Sir Francis would doubtless have taken the advice of his friends, lived on a pittance, and brought up his children as best he could, dismissing the painful subject from his mind; but health and strength had been spent in the service of a King and country, who rewarded him not only with neglect but with deceit. Unnerved as he was, he felt unable either to submit to the insult or to prolong the contest. Thomas Bernard continues:

He declined the offer of some of his personal friends who wished to bring on a question about his pension in Parliament. To Lord Hillsborough, who, with great kindness and honour, offered to resign the seals of the American department on the occasion, he said, 'No, my Lord; it would be an additional chagrin to me that the country should lose the benefit of your services.' . . . His affection for his family, however, while it prevented his open resentment of the ill-treatment which he had received, increased and embittered his sense of it. A depression of spirits ensued, and his mind and body gradually sank under chagrin and vexation. No cause operated to procrastinate for a short time the paralytic stroke with which he was soon after afflicted, but his anxiety, before he quitted political life, to omit

nothing that was due to the service of the public or to his own character.

As to the first, he felt it a duty, before his retirement, to repeat to the Administration the immediate necessity of a general system of measures being adopted for America, to restore vigour to the Government and confidence to the people. What that system was has been already stated; it would be superfluous to add anything respecting it, except that the necessity and difficulty of carrying it into effect had increased with the delay, and that it then required not only the talents and integrity that distinguished the nobleman then at the head of the American department, but (what Great Britain had not possessed for some years) the concurrence and stability of a powerful Administration. If there had been a sufficient degree of fortitude and moderation in Great Britain to have allowed the execution of the whole plan, British America might still have continued a part of the British Empire. It is probable that Sir Francis Bernard deceived himself when he hoped that the adoption of part of the system might lead to the completion of the whole. The event, however, was that nothing was finally done but to add some degree of strength and independence to the executive Government by granting a salary of 1,500*l.* to Mr. Hutchinson, the successor of Sir Francis Bernard, and by appointing a permanent Council board, as in the other provinces, independent of the election of the people.

No provision was made to meet the increased excitem
certain to result from these measures—an indispe
precaution, to which Sir Francis can scarcely have
call attention; and the consequences were unfortun
will appear, for the nationalists looked upon the rtial
nature of the reforms—and with reason—as a sign of ak-
ness in the Government at home.

The illness, to which Thomas Bernard alluded, did not lay his father prostrate, until some time after his first experience of disappointment and mortification in England. For nearly two years he battled against his troubles—and they were many, for domestic bereavement was added to his griefs as a public man.

The Duke of Grafton[1] resigned his post as First L

[1] Haydn, *Dictionary of Dates*, 'Grafton' and 'North' Ministries, various histories of the time.

of the Treasury in January 1770, and was succeeded by Lord North, who was already Chancellor of the Exchequer, and now combined the two offices. His Cabinet included certain other members of the former Administration, but it was different in tone. On the change of Ministry, Sir Francis Bernard once more urged the wrong which had been committed in his case. 'His application,' says his son, 'was not in this instance a request, but a claim.' Lord North recognised its justice, and increased his pension to 1,000*l.*; but only to afford fresh proof that there was some powerful obstacle at work, since this grant was almost immediately changed into an appointment as one of the Commissioners of a new Board of Revenue in Ireland, which, even if the income was of equal amount, was a very different affair to a man requiring ease and rest above all things, and having to consider the possibilities of starting three sons in professions. Moreover, the salary was probably dependent on his health and ability to perform the duties of his post.

As Thomas Bernard has left in total obscurity the nature of the influences which worked against his father, it is useless to attempt a solution of the question now, when much that was known or suspected at the time is forgotten. The 'wheels within wheels' of such transactions form a complex system of machinery, only to be mastered by careful study under favourable circumstances. But the Governor's son does state that the King had promised Sir Francis Bernard a pension of 1,000*l.* a year; and it is impossible not to wonder how a monarch, reputed to be so conscientious, could allow any influences whatsoever to bring about a breach of his plighted word. George III. had succeeded in becoming 'his own Minister,' to an extent which disposes of the possible suggestion that he was ignorant of any portion of the arrangements.

Intimately conversant with official routine, and thoroughly master of the details of every department of the Government, he acquired a familiar knowledge of all the appointments in the gift of the Ministry, and reserved to himself the right of controlling them. Nor was this monopoly of patronage confined to offices of

importance or considerable emolument; it descended even to commissions in the Army, and the disposal of small places, which custom as well as expediency had delegated to the heads of those branches of the service to which they belonged.[1]

If this statement, which is supported by other testimony,[2] be anywhere near the truth, it is evident that George III. must have been cognisant of Sir Francis Bernard's treatment at the hands of his successive Governments. There is, indeed, some probability that it originated with him. The years 1770 and 1771, during which Sir Francis was, in familiar parlance, 'driven from pillar to post,' were years of great political agitation in England. Wilkes and Beckford were leaders of a 'patriotic' or popular party, and the King was repeatedly addressed by deputations in terms of positive insult. His nervous irritability had already given cause for anxiety[3] in the earlier portion of his reign, and, if it is considered that American affairs were becoming daily more critical, there is no improbability in supposing that one mode in which the King's vexation showed itself may have been in leaving an American Governor as a scapegoat in the hands of his enemies, since he afterwards virtually left the whole body of American loyalists to their fate.

While Sir Francis Bernard was resigning himself to the check he had received, he continued in frequent communication with Lord Hillsborough on the subject of American affairs. This was well known in America, and commented on by the 'Boston Gazette,' which in September 1770 gives the following items of London news published in July:

Yesterday morning the Right Hon. the Earl of Hillsborough

[1] *Memoirs of the Court and Cabinets of George the Third, from Original Family Documents*, by the Duke of Buckingham and Chandos, K.G. (1853), vol. i. p. 3. These volumes are known to have been compiled chiefly by Mr. Smith, the librarian at Stowe, and editor of the *Grenville Papers*, who doubtless wrote the passage.

[2] See Lecky, *History of England in the Eighteenth Century*, vol. iii. ch. ix. and several passages in other chapters; also other works relating to George III. and his reign.

[3] In 1765. See Lecky and others.

had a numerous *levée* of the principal American merchants and colony agents, previous to his Lordship's departure for Ireland.

The common business of America, in the absence of Lord Hillsborough, will devolve on a gentleman belonging to the Plantation Office, who is to have the advice and assistance of Governor B—— rd.[1]

This was probably Mr. John Pownall, the Under-Secretary.

Benjamin Franklin had recently been appointed by the House of Representatives agent for Massachusetts. He was already agent for Pennsylvania, Georgia, and New Jersey, and by these offices made up an income of 1,200*l.* a year, far more than the Governor of Massachusetts had received during certain years of his administration. There was no cordiality between Franklin and Lord Hillsborough, at whose house he one day met Sir Francis Bernard, an event recorded in his Journal:

Wednesday, 16 January, 1771.—I went this morning to wait on Lord Hillsborough. The porter at first denied his Lordship, on which I left my name and drove off. But before the coach got out of the square the coachman came and said, 'His Lordship will see you, sir.' I was shown into the *levée* room, where I found Governor Bernard, who, I understand, attends there constantly. Several other gentlemen were there attending, with whom I sat down a few minutes, when Secretary Pownall came out to us and said his Lordship desired I would come in.[2]

Lord Hillsborough received Franklin with much politeness, excusing himself for his first refusal by stating that he was dressing to attend Court; but the interview soon became stormy, because the Minister would not admit Franklin's right to call himself agent for Massachusetts, in which province he had been appointed by the House of Representa-

[1] '*The Boston Gazette and Country Journal*, containing the freshest Advises, Foreign and Domestic, Monday, September 17, 1770.' The paragraph quoted is dated 'London, July 26.'

[2] *The Life of Benjamin Franklin*, written by Himself, vol. ii. ch. ii., edited by John Bigelow. An extract from Franklin's Journal, entitled 'Minutes of the conference mentioned above, sent in a letter to Samuel Cooper,' dated 'London, 5 February, 1771.'

tives alone, the Governor and Council having selected another person. This conference ended somewhat abruptly, the parties not being able to find any common standpoint from which to discuss matters.

Before proceeding to relate the troubles of Lady Bernard and her family in America, it becomes necessary to notice a scurrilous report which appeared in the 'Boston Gazette,' Samuel Adams's paper, on September 3, 1770, possibly one of many; this particular libel has, however, survived the contest which gave it being. It was copied by Wirt in a note to his 'Life of Patrick Henry,' a Virginian 'patriot' much resembling Samuel Adams, whence it has been transcribed by Jesse into his 'Memoirs of George III.' without further inquiry.[1] Therefore it cannot here be passed over in silence, and is given at full length. The original paragraph in the 'Boston Gazette' is as follows:

New York, August 27. *Extract of a Letter dated London, 5th of June*, 1770.

The people of England now curse Governor Bernard as bitterly as those of America. Bernard was drove out of the Smyrna Coffee-house not many days since by General Oglethorpe, who told him he was a dirty, factious scoundrel, who smelt cursed strong of the hangman, that he had better leave the room as unworthy to mix with gentlemen of character, but that he would give him the satisfaction of following him to the door had he anything to reply. The Governor left the house like a guilty coward.

I know not whether any formal contradiction of this story was published at the time, but the best refutation consists in the record of Sir Francis Bernard's remaining years, which were cheered by marks of attention and friendship from persons of undoubted honour and character. Subsequent to the date of this supposed expulsion, he is found in frequent consultation with Lord Hillsborough on matters requiring sound judgment and high integrity, both of which, it may be assumed, the Secretary of State believed

[1] Note to page 81 of Wirt's *Life of Patrick Henry*, 3rd edition. The statement is quoted from that work by Jesse: *Memoirs of the Life and Reign of George III.*

him to possess. Indeed, Lord Hillsborough, as before stated, bore generous testimony to Sir Francis Bernard's merits after his death.

General Oglethorpe was a man of considerable celebrity, active in many public movements; he is perhaps especially deserving of remembrance as the reformer of the horrible debtors' prisons—the Fleet and Marshalsea—and as the founder of the Colony of Georgia. His career was chequered, since he was twice tried by court-martial, but on both occasions acquitted. Reared a Jacobite, but afterwards an officer under the new dynasty, a contemner of Parliaments, and to some extent a sympathiser with the revolted Americans, his opinions formed a curious medley; but there appears to be no evidence, beyond the letter in the 'Boston Gazette,' that the General, who was then eighty-one, and noted for his courtesy, ever behaved as represented in that letter. If any controversy with the ex-Governor ever took place in more gentlemanly style, even this Oglethorpe's friends apparently did not care to remember. In his biography by Wright, there is no mention of the Smyrna Coffee-house encounter, nor, indeed, any mention of Sir Francis Bernard at all.[1]

I now return to the subject of Lady Bernard and her children, such particulars as I have been able to gather of their fortunes, during the separation—of about a year and a half—from Sir Francis, having been postponed, in order not to interrupt the narrative of his exertions and disappointments in England.

Julia Bernard, after noting her father's departure, continues:

All state and form were now broke up; his country-house was taken possession of, and my mother, with four children, took a pretty residence called the Cherry House, a few miles from Boston,

[1] Wright (Robert), *A Memoir of General James Oglethorpe*, &c., &c. Mr. Wright mentions an American book, *Memorials of James Oglethorpe*, by T. W. Harris, D.D., but gives no hint of having met with the libel or anything relating to it in that work.

retaining a small establishment, a faithful black slave, Cato, being part of it—our former cook, but now coachman, whom my sister taught to read and instructed in religion, she being then about fifteen; he was some time afterwards baptised.[1]

The sister was, of course, Amelia. Probably Cato was baptized in England, where there would be less difficulty than in America. Julia's words might be taken to mean that the house near Roxbury had been confiscated, or that it was required for the use of the Acting Governor. But the confiscation of houses and lands had not yet begun, and that home seems to have been the private property of Governor Bernard, since he had built the greater part of it, as Julia herself says elsewhere. Her forcible expression, 'taken possession of,' was probably dictated by the remembrance of the wrench caused through parting from that pleasant spot, endeared by many recollections. Apparently the place had been let to Sir William Pepperell,[2] who was too desirable a tenant to be postponed, and Sir Francis, having given up all idea of settling in America, had concluded the negotiation before starting for England.

There is more difficulty in understanding why Lady Bernard remained; but it must be remembered that her husband had as yet no home for her in England, and that there was evidently some domestic business to be settled before the departure of the family, which Sir Francis had not time to supervise at the last. Another important reason, indeed, must have been the health of Francis, the eldest of the family. I have no particulars of his decline, but it was probably of a nature which often rendered doubtful the possibility of moving him; while the idea of leaving him to die among strangers, or even among friends, deserted

[1] 'Reminiscences.'

[2] Hale (Rev. E., D.D.), 'The Siege of Boston' (Winsor, *Mem. Hist. Boston*, vol. iii. ch. ii., 'The Revolutionary Period). Dr. Hale says: '. . . . . Governor Bernard's house on Jamaica Pond, lately occupied by Sir William Pepperell.' Porter (Rev. Edward G., of the Hancock Church, Lexington), Note to ch. i. of the same volume, 'The Beginning of the Revolution.' 'Lady Bernard did not leave the estate till December 1770.' The note is by Winsor, but this statement must be erroneous.

by his father and mother, must have been repugnant to the feelings of both parents.

The commemoration of the Stamp Act Riots has been mentioned. A little later, further steps were taken by the popular party to produce disturbance. The principal grievances still alleged were the presence of the military and the tax upon tea. There had been considerable signs of wavering in America with regard to the non-importation agreements, which had influenced even Boston; many longed to be free from them. But these symptoms roused the irreconcilables to renewed exertions, which had the desired effect of intimidating a large number of loyalists.

Bernard, before his departure [says Hosmer], had written that the most respectable of the merchants would not hold to the non-importation agreements, and British merchants accordingly felt encouraged to send cargoes to America. On September 4 a factor arrived in charge of a large consignment of goods. The town was expecting him; Samuel Adams, in the 'Boston Gazette,' 'had prepared the public mind.' At once a meeting of merchants was held, at which the factor was 'required to send his goods back again.' At a town meeting held on the same day Samuel Adams, with others, was appointed to vindicate the town from the false representations of Bernard and other officials, and the case of those who had broken the non-importation agreements was considered. The names of four merchants were placed on the records as infamous; among those gibbeted were a son of Bernard and the two sons of Hutchinson, with whom the father was believed by the people to be in collusion. Such goods as had been landed were housed, and the key was kept by a committee of patriots. The troops meanwhile stood idle spectators, for no act could be alleged of which any Justice of the Peace would take notice, although the temper of the people was plainly hostile.[1]

The two sons of Hutchinson were amongst those merchants who were bullied into engaging not to import during the remainder of the year; but John Bernard appears to have been always uncompromising, and for some time he heads the list of recusants in the 'Boston Gazette.' The first number of that paper in my possession bears the date

[1] Hosmer, *Samuel Adams*, ch. x., 'The Non-Importation Agreements.'

of Monday, January 22, 1770; but the expressions therein used imply that the persons named were old offenders. The notice is styled:

A List of the Names of those who audaciously continue to counteract the United Sentiments of the Body of Merchants thro'out North America by importing British Goods contrary to the Agreement:

John Bernard (in King Street, almost opposite Vernon's Head),
James McMasters (on Treat's Wharf),
Patrick McMasters (opposite the Sign of the Lamb),
John Mein (opposite the White Horse, and in King Street),
Ann & Elizabeth Cummings (opposite the Old Brick Meeting House),
All of Boston,
And Henry Barnes (trader in the town of Marlboro'),

Have, and do still continue to import Goods from London contrary to the Agreement of the Merchants. They have been requested to store their Goods upon the same Terms as the rest of the Importers have done, but absolutely refuse, by conducting in this manner.

It must evidently appear that they have preferred their own little private advantage to the welfare of America. It is therefore highly proper that the Public should know who they are that have at this critical Time sordidly detached themselves from the public interest; and as they will be deemed enemies to the Country, by all who are well-wishers to it, so those who afford them their countenance, or give them their custom, must expect to be considered in the same disagreeable light.[1]

But now, at the commencement of a new year, some of the merchants, who had unwillingly signed the agreement not to import until the end of 1769, began to avail themselves of their supposed freedom, and even to sell tea. The popular party loudly expressed its indignation. 'The restriction, they thought, must remain in force until other merchants could import.'[2] The Lieutenant-Governor, whose

[1] *The Boston Gazette and Country Journal*, January 22, 1770. This and many subsequent numbers of the Journal were a gift to me from the late Mr. P. O. Hutchinson, the editor of *The Diary and Letters*.

[2] Hosmer, *Samuel Adams*, ch. x., 'The Non-Importation Agreements.'

sons were specially attacked, gave way under this pressure, and condemned the practice; he subsequently regretted this concession,[1] which served only to encourage the disaffected. It became daily more and more difficult to maintain any semblance of government. The forced inaction of the troops, originally brought to Boston to maintain order, rendered them the butts of a rancorous populace, and the persecution to which these unfortunate men were subjected led at last to retaliation. The catastrophe of March 1770, which is related in all histories of the time, occupies a place in Julia Bernard's Reminiscences.

While residing at this house [the Cherry House] a most appalling report reached us one morning from Boston. Some common people asserted that the soldiers in general had risen upon the townspeople, a general massacre had taken place, and the streets were running with blood. Upon more minute inquiry it turned out something different. The soldiers on guard at the Custom-house were insulted and abused by the rabble, and at last pelted with stones; the Captain and a further guard turned out; every means were used to insult them. The Captain had said, 'Don't fire'; but many calling out, 'Fire! fire!' they were at last confused, and did actually fire; four men fell, and the tumult became dreadful. The Captain and six men were conveyed to prison, where they awaited their trial under much apprehension through the vindictive spirit of the people. They were not, however, brought in guilty of murder, but at last released. Captain Preston had performed at my father's concerts, and was well known to us.

This most unfortunate event is termed by Americans 'the Boston Massacre,' but only five persons were killed—the four already mentioned and one who died of his wounds. Hosmer attributes the prevention of further bloodshed to the promptness and resolution of the Lieutenant-Governor,[2] who, nevertheless, in Hawthorne's imaginative sketch entitled 'Edward Randolph's Portrait,'[3] figures on this

[1] Hutchinson, *Diary and Letters.*

[2] Hosmer, *Samuel Adams*, ch. xi., 'The Sam Adams Regiments.'

[3] Hawthorne (Nathaniel), *Twice Told Tales:* 'Legends of the Province House,' No. 2.

occasion as a melodramatic ruffian. The tragedy seems to have awakened, in the minds of irreconcilables even, a sense of the amount of provocation inflicted on the soldiers. When Captain Preston and his men were brought to trial, Jeremiah Gridley, Josiah Quincy, and John Adams, at their own desire, acted as counsel for the prisoners. Captain Preston and four of his men were acquitted; two soldiers were convicted of manslaughter, but were sentenced only to be branded on the hand.

By an entry in Governor Hutchinson's Almanac for 1770, probably in his own hand, it would seem that Lady Bernard recommended a gentleman for the office of justice. The entry runs: 'Charles Pelham, of Newton, a Justice, by Lady Bernard.' This is one of a series of notes to the same effect, every justice probably having to be vouched for by someone. It is the only case in which Lady Bernard's name appears. Mr. Hutchinson had perhaps paid her the compliment this year of inviting a recommendation from her.

Julia's health seems to have suffered from the excitement and anxiety of this period. She does not mention the fact in her narrative; but some lines by her in another manuscript volume, dated 'June 1770,' are headed 'Written in sickness.' They are in blank verse, and intended as an introduction to the character of her absent brother, Thomas, whose helpfulness must have been greatly missed at this crisis. Julia did not reach the subject, but added a few words in prose, already noticed, describing her lost brother Shute. She was then in her eleventh year.

It was apparently in the July of 1770 that Thomas Bernard received, in his absence, the degree of Master of Arts from Harvard College, in recognition of 'the progress he had already made while at the College.'[1] The name 'Thomas Bernard' heads the list of M.A.s. This Com-

[1] *The Massachusetts Gazette and the Boston Weekly News Letter*, No. 34, July 19, 1770; Baker (Rev. James), *Life of Sir Thomas Bernard*. The name of 'William Sanford Hutchinson' heads the list of B.A.s; he was also in England.

mencement was memorable for 'A Dialogue in the Chaldaic language, the first of the kind ever exhibited in America, and wholly the product of the generous foundation of the late Thomas Hancock, Esq.'

The summer months must have passed drearily away. It might be no privation to the young people that they were not wanted at the Province House; but the difference of position would seem strange. If they took their summer airing and bathing at Castle William, it would in all likelihood be as the guests of Mr. Hutchinson, and with the feeling that it was probably for the last time. In August, however, the Lieutenant-Governor's control over the Castle appears to have ceased. He received orders from England, through General Gage, at once to remove the Province garrison and commit the fort to the keeping of Colonel Dalrymple.[1] This, after some demur, was quietly effected in September, to the disgust of the provincial Captain Phillips and the annoyance of Mr. Hutchinson.

The history of this measure seems to be that Dalrymple had been worked upon by his friends, Samuel Adams and Co., to demand the removal of one regiment from the town to the Castle. The Lieutenant-Governor, who dreaded such a move at that moment, declined to act, alleging, like Governor Bernard, that he had no power to order a removal. Dalrymple, who had only two years before commented so severely on Bernard's want of spirit, as evidenced by his failure to obtain quarters in the town for the soldiers, was now induced to ask for the banishment of both regiments to the Castle, which request was evidently approved by Gage, and Hutchinson was thus left defenceless against a riot.

These events were hard upon the loyalists who still held out. John Bernard's name continued for some time to head the list of proscribed traders,[2] and his position, entailing loss, insult, and even danger, must have been a constant

[1] Hutchinson, *Diary and Letters*, vol. i. ch. i.; also *Hist. Mass. from* 1749 *to* 1774, ch. iii.

[2] See various numbers of *The Boston Gazette*.

source of apprehension to his relatives. The names of his fellow-sufferers vary a little. Mein, the bookseller, a man of determined spirit, was driven by violence to England; yet the list shows a slight increase in numbers in the course of a few months. In September one 'James Gillespie, in Common Street,' takes precedence of John Bernard, and is honoured with capital letters, perhaps on account of the magnitude of his crime; he 'has imported a quantity of glass, contrary to the agreement of the merchants, and refuses to reship it.'

Mr. Bridgeham, at whose house in Brimfield, Massachusetts, Sir Francis and Lady Bernard had visited, mentions in a letter to Scrope Bernard, written about twenty years after this time, that he was in England in 1770, when Sir Francis offered to procure him a collectorship in the West Indies; and, on his declining the appointment, by reason of his preference for a mercantile career, volunteered to advance him some money to go on with in England. He adds: 'I returned to Boston with a cargo of goods, and was the first who broke through the non-importation agreement which was then formed to distress the trade of this country.'[1] By this Mr. Bridgeham must mean the first who went over with a cargo. He is silent as to the consequences, from which it may be inferred that he escaped startling and unpleasant adventures.

Various rumours were now afloat concerning the appointment of a Governor.[2] Sometimes Sir Francis Bernard was to resume his post; sometimes Lord William Campbell was to come from Nova Scotia; or Governor Pownall, who had been long out of office, was to return. These unauthorised statements came from England, but were published in the 'Boston Gazette,' which at that moment seemed to prefer anybody to Mr. Hutchinson. Meanwhile Lady Bernard must have learned that her husband had definitively resigned, and was prepared to receive her in England. On

[1] MS. Letter at Nether Winchendon.

[2] See various numbers of the *Boston Gazette*.

September 11 their furniture, books, plants, &c., at the Province House were sold by 'Public Vendue.' [1]

It is probable that the health of young Francis Bernard had shown some of those delusive signs of a rally which sometimes come shortly before the end. Beyond the tradition that his disease was the result of the unfortunate accident at Westminster School, and had affected his brain, I have no particulars. It must, however, be concluded that he was now considered fit to undertake the voyage, since Lady Bernard made her preparations for departure. She was, however, detained some time beyond expectation, because the vessel bespoken to convey her was not ready at the right time. No explanation is given, but from the sequel it is probable that the interval was employed in patching up an unseaworthy craft.

In the meantime young Francis died, November 20, 1770,[2] at the age of twenty-seven, one of many examples of a career of great promise blighted. The end was most likely sudden. But for the disappointment in the arrival of the ship, it would have taken place on the high seas. As it is, Francis Bernard probably rests beside his younger brother, Shute, in the burial-ground of the King's Chapel at Boston.

[1] Some particulars of the articles for sale have been given in Chapter xiii. Volume I. of this work.

[2] This date was communicated, with others, by Miss Collinson. Julia Bernard does not mention it nor give any particulars of the end, although she notes the tardy arrival of the vessel.

CHAPTER XXVI

THE REUNION IN ENGLAND

A Perilous Voyage—Arrival at Portsmouth—Health of Sir Francis—His Appointment to the Irish Board of Commissioners—Death of Mrs. Beresford—Illness of Sir Francis—He Resigns his Appointment in Ireland—Receives the Hon. Degree of D.C.L. from the University of Oxford—The Family Move from Nether Winchendon to the Prebendal House, Aylesbury—Intercourse with the Lees of Hartwell—Last Years of Sir Francis.

LAST Monday arrived in Nantasket Harbour the *Tweed* frigate, Capt. Collier, after a Passage of 25 days from New York, the Weather having been very blustering on the Coast, she received some Damage in her Sails and Rigging, which it is said will prevent her sailing for England these ten days. The *Tweed* brot the Right Hon. the Earl of Dunmore to his Government of New York, and is now come here to take on board Lady Bernard & Family, for England.[1]

This paragraph appeared in the 'Boston Gazette' of Monday, December 10, 1770, consequently the vessel must have come into harbour on the 3rd; but it was not ready in ten days. On this subject Julia Bernard writes: 'My mother, with four children, set sail on Xmas day 1770, a bad time for a voyage, but the King's ship which was ordered for her accommodation was accidentally delayed, which brought us unfortunately into the Stormy Season.'[2]

Lady Bernard had arrived in America with four children, but only two of these—Amelia and William—were her companions on the home voyage. Thomas was with his father in England; Shute was no longer of this world. Scrope and Julia, born in New Jersey, replaced them. It

[1] *The Boston Gazette and Country Journal*, Monday, December 10, 1770 (No. 818).

[2] 'Reminiscences.'

can hardly be supposed that their mother, whose nerves had been shaken by recent events, looked without apprehension on the impending trial. She had apparently met with no alarms during her previous crossing, but the perils of the deep had been forcibly brought to mind by the experiences of others. Julia relates the sad story of a family in Boston, evidently friends of Lady Bernard:

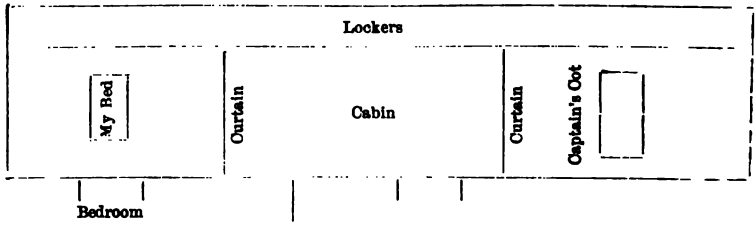
There was a Mrs. Greenleaf, who had 4 fine daughters all married. One, Mrs. Apthorpe, was singularly handsome and elegant; her loss was a melancholy stroke to her mother. Mr. Apthorpe would go by sea to New York in a vessel that was not thought safe. Her Mother requested her to stay with her; No, she said she would follow her husband wherever he chose to go, but left her children behind. They were never more heard of; some remnants of things were seen floating. The unhappy Mother wrote to my Mother; I remember the letter began 'Dear & ever honoured Lady Bernard,' & then touched upon her sorrowfull loss.

Preparatory to our departure [continues Julia] we were invited to two gentlemen's houses in Boston, to be ready for embarkation; the family being divided for easier accommodation. At this time a Colonel Martin (whose daughter was thought to be in a consumption, & was advised to try a change of climate) waited upon my Mother, & requested her permission for his daughter and himself to come over in the same vessel, the *Tweed*, under her protection. To this my Mother acceded, the Captain also not objecting. She was a pretty young woman, 16, delicate and interesting, my Mother adopted her as a child. . . .

The Christmas season of that winter (1770–71) was cheerless in the extreme to the travellers, as the narrative most clearly shows:

We embarked on Christmas-day; on New Year's day, 1771, we had a smartish storm; it appeared formidable to me at the time, but how inconsiderable compared to the tremendous one that followed on Twelfth-night. I was eleven years old the month before we embarked. Never can I forget the impression of that most awful night. It appears as if my Mother, in adopting a third daughter, was in danger of having lost one if not both of her own. Her bedroom, next the cabin, contained two beds, her own and

the one in which my Sister and Miss Martin slept. I was put with my Mother's maid on one side the cabin, thus.



From this sketch of the arrangements it appears that Julia's so-called room, which on one side communicated by a door with her mother's sleeping apartment, was only curtained off, on another side, from the principal room, called 'the cabin,' and that the opposite end of the cabin was similarly curtained off for 'the captain's cot.' The narrative continues:

It was stormy when we went to bed; but at midnight I was waked by most terrific noises, and an outcry as of some persons in extremity. The whole cabin was a dreadful void, only half full of water, everything that had been in it beat to pieces. The whole row of windows at the stern with their shutters were beat into the room; the sea open to us and roaring dreadfully. My first idea was that we were going down; the maid who had slept with me was gone, the curtains and Captain's cot and himself all disappeared—it was a dreary situation, I supposed we should all disappear soon; in this situation I remained some time, the water washing upon my bed. I never uttered sound of any kind. Perhaps my Mother would have been glad to have heard my voice. At length a number of sailors swearing and hollowing came to the door—they stood some time there to get out the rubbish floating to and fro—then the carpenter entered with planks to nail up the end of the ship. It was said that if another sea had entered in that time we must have gone down.

At this time our black Man came to see if I was there; he stood a little while by the bed, and then took me up to carry me into my Mother's room; fell down with me just at the door, and I got a cut on my foot, the scar of which remains to this day. I crept in soaking wet between the blankets, and we remained in that state all that night and the next day, the Ship laboring with a very heavy sea and the Pumps constantly going, no fire could be

kept in the Ship, and we were thankful for biscuits and wine and water.

Happily Hannah, my bedfellow, was washed into the dining-room and the Captain also. What was she to do? She found the way to the place where my Brothers, schoolboys, slept on each side of a gun, begged them to get into one bed, and she got into another dripping wet. One circumstance should not be omitted. My Sister finding the bed they slept in (that is, Miss Martin and herself) rather small, had for many nights put a small bed on the Locker, a wide sort of window seat, and slept there, in the same place where I slept. I know not what occasioned her to have moved back that night; it appeared a merciful Providence. She must have been instantly killed by the bursting in of the large shutters directly upon her.

I was told that a greater part of the Sailors in the vessel had never weathered such a severe Storm. It was an old Ship and never went another voyage, but was broke up. Captain Collier, afterwards Sir George, commanded her. On these occasions Government pays the expenses of the living, but it is customary to present a piece of Plate of some value to the Capt. afterwards. Our boxes were all broke to pieces and our clothes scattered all over the Ship, pick't up by the Men, and some stole, which unfortunately occasioned a flogging.

No chairs or tables the rest of the voyage, no light from windows; a row of planks were nailed down the centre of the cabbin for a table, a row each side for seats, and a lantern hung up to the ceiling. The first comfortable thing I can remember taking after the Storm was some peas soup, sitting on the ground on bearskins. This must have been the third day.

My Mother did not leave the room. We young People dined with the Captain when the weather allowed. In this mutilated state we proceeded on our voyage, and might hope that our alarms were over; but very near the conclusion of it a danger of a more decided character, as we were afterwards told, was upon us. The Captain after a harrassing voyage was desirous to make Portsmouth by the short cut by the Needles, not thought to be a very safe navigation, some dangerous breakers lying opposite the Needles.

I can remember as distinctly as if it were yesterday, while we were at dinner one day, the first Lieut., Mr. James, running down the steps to our dining-room, with 'Sir, we are just upon the Breakers.' The Capt. started up, flew upon deck, the greatest agitation seemed to prevail; the Captain returned no more. After

some time my brothers recollected that the Pilot of the Ship was drunk, and when the Sailors said: 'We are nearing the Breakers,' replied, 'Oh, that's a Bug.' The motion of the Vessel began to quicken, drawn by a sort of Whirlpool; had the Lieut. come first down to communicate to the Capt., it was thought nothing could have saved us, but he instantly tacked the Ship, all hands exerting to the utmost. The Pilot was sent below, and the Capt. charged himself with the Vessel, but dare not venture to proceed; in a little time they cast anchor. We continued all night firing guns of distress every quarter hour for a Pilot; but the Sea run so high that no boat could venture. I think we were told at the time that, had the wind, high as it was, shifted to a certain quarter, I do not now remember which, nothing could have saved us. It was an awful night. The rest of the party sat up, my Mother desired I would go to bed. I did, doubtful if I should ever rise from it.

It was the merciful will of Providence that we should escape this danger also. The wind abated, a Pilot came, and we were carried into Spithead, round the Island, and in the course of a few hours landed on the Point, Portsmouth. I remember my Mother saying afterwards, that had we not been surrounded by People, she should have gone on her knees to return thanks to God that we were at last safe on Land.

It may be supposed that Sir Francis had learned of the death of his firstborn, Francis, while he was awaiting in some anxiety the return of his wife and family; but long before he had been sadly watching the decline of his son Thomas's health. This young man, then only nineteen, had apparently been overweighted by the trying circumstances in which he found himself, as the sole companion of a father broken down in health and spirits, and struggling vainly against adverse circumstances. It was perhaps for the double reason of giving Thomas the benefit of pure air, and of having a suitable home ready for the travellers, that Sir Francis had taken a house in the vicinity of Hampstead, then a most picturesque and rural neighbourhood, yet sufficiently near London to be convenient for business and social intercourse. He had then removed his eldest daughter from Mrs. Beresford's care to superintend the necessary housekeeping and nursing. Jane Bernard was nearly five-and-twenty, and appears to have been quite equal to the

double task. Julia's narrative, continued from the arrival at Portsmouth, tells how the family came together:

After a letter dispatched to my Father we soon set off in 3 post Chaises for London, it was a joyful Journey; everything seemed new and delightful. My Father met us one day's journey in his carriage and conducted us to his house near Hampstead, where I first saw my eldest Sister, and my brother Tom again after a wonderful recovery from an illness pronounced by two Physicians to be consumption. This was the beginning of February 1771.

But the joyful meeting—joyful at least to the younger members of the family, for it must have been tinged with sadness to the elders—was followed by other sorrowful scenes. Julia says: 'We carried the measles from Portsmouth, and a sick house followed soon upon our arrival.' This was comfortless enough, especially if the attacks were severe; but the condition of their friend Miss Martin was more serious:

She and Father travelled with us when we reached England to my Father's house at Hampstead, where she was most tenderly received and nursed by my eldest Sister. There she gradually sunk under the wasting disease, daily visited by her Father, and attended day and night by us females in turns; and died in about 3 months, my Sister and a servant being sitting up with her.

It seems to have been just after this event that Sir Francis and Lady Bernard determined on visits to relatives, taking with them Julia, who writes:

About May I travelled with my Father and Mother to her paternal home, Norton Hall, to visit her two nieces, Mrs. Shore and Edmunds. I appeared rather in delicate health; the dreadful voyage, measles, much nursing had rather tried me. My most kind Relation Mrs. Edmunds requested my Mother to let me remain a time with her.

So Julia was left at Worsborough, in Yorkshire, and her visit proved a very long one. She has written much about its delights, but her pen is silent during this period concerning the movements of the rest of the family. It may,

however, be assumed that other visits were paid, both by the parents and the young people—one to Nether Winchendon especially.

Thomas Bernard has stated that his father's health was a subject of uneasiness to those around him, all through this year, but also implies that they were not so much alarmed as the facts ought to have suggested. There seemed a hope that the comforts of domestic life and the kindness of friends might enable him to overcome the troubles from other quarters. There were still men of eminence and repute, who admired and appreciated him. Thomas quotes, in his biography of his father, a letter from Sir Joseph Yorke,[1] ambassador at the Hague, to Dr. Richardson, written in the August of this year, which is a valuable testimonial of regard:

'I am glad you have had an opportunity of making an acquaintance with so true a patriot as Sir Francis Bernard, who must have merit when a French and English Ambassador both approved his conduct; for you will recollect how great an admirer of Sir Francis the late Marquis d'Havrincour was. I wish he was still properly placed in America, and you the first Bishop acting in concert with him; I do not believe religion and liberty would be losers by your conduct. I shall be very sorry if such a man is not properly attended to, and amply provided for. To whatever part of the world he shall retire, I will never pass by his door without knowing whether he will let me in.'[2]

Sir Francis Bernard had apparently received a notification of his appointment to the Irish Board of Commissioners; and soon after his return from the North he was making arrangements for his unwelcome move. Except that his sons William and Scrope appear to have been sent to Harrow this year, the nature of these arrangements is not clear; but it is probable that some members of the family

[1] He was a son of the first Earl of Hardwicke, rose to the rank of Field-Marshal, was Ambassador at the Hague from November 1754 to December 25, 1780, and created Baron Dover 1788. He died (leaving no issue) in December 1792.

[2] *Life of Sir Francis Bernard.*

were to be left in England, until he could form an idea whether Ministerial changes or the state of his health would not lead to his retirement from office. In the midst of the complicated preparations which these uncertainties rendered necessary, the ex-Governor's overstrung nerves received another shock from the death of his good cousin, Mrs. Beresford, the last link with his days of childhood and early youth.

Of this bereavement Thomas Bernard merely says, 'The death of a near relation had called him to Lincoln in November 1771,'[1] leaving it uncertain whether Sir Francis was able to be with her before her death. From a letter written by Jane Bernard[2] some years later, it may be inferred that the writer, and probably Lady Bernard, Amelia and Fanny, attended on the good old lady at the last. She was buried at Leadenham by her son, as she had desired might be the case if the end came at Lincoln.[3]

This loss proved too much for Sir Francis; he was still in Lincoln 'when,' as his son relates,

being much indisposed, he sat down to make some disposition in his affairs, which the manor of Nether Winchendon, in the county of Buckingham, just then devolved to him, had rendered necessary. It was with the utmost difficulty that he concluded the work which he deemed so important; when, finding his disorder rapidly approaching, he rang hastily for his servants; the alarm brought up three of them, in whose presence he signed, sealed, and published his will with some composure; and, having directed them to attest it, he then said that he was so ill that for the whole world he could not have written a word more; and almost instantly fell down senseless on the floor.

The stroke was paralytic, and of that degree of violence that for some weeks left no hopes of life; but the skill of the faculty and the attention of his family were so successful that in six weeks he was capable of being moved to Bath. The waters had

[1] *Life of Sir Francis Bernard.* Lipscomb also gives 1771 as the date of Mrs. Beresford's death; the month and day are not given by him or by Thomas Bernard. Lipscomb is evidently mistaken in saying that Mrs. Beresford was buried at Lincoln.

[2] MS. letter at Nether Winchendon. Jane Bernard was 'Mrs. White' when she wrote it.

[3] See Chapter x. Volume I. of this work.

the effect of varying the complaint: the palsy was removed; but he was ever after subject to epileptic fits, which continued with some frequency, and at times with considerable violence, until his death. . . .

When it was deemed advisable for him to quit Bath, he went, in the end of May 1772, to spend the summer at his house at Nether Winchendon. His recovery was partial and imperfect; and though he had assurances from his friends and acquaintance of his health being re-established, he had the wisdom to be diffident of his perfect recovery, and he applied for leave to resign his appointment in Ireland. This was not granted him until the year 1774, when his former pension was restored to him.[1]

That is, apparently, the 500*l.* a year which he had felt as so bitter an insult; but it was soon augmented. What proportion of his salary—if any—he was permitted to draw in the meantime, while unable to perform the duties of his office, his son does not state; but the expression, that 'leave to resign . . . was not granted him' for two years, implies that Sir Francis found the position irksome and humiliating.

One of the tasks imposed by Mrs. Beresford's will on her cousin and successor was the selection of a clock for the church of Nether Winchendon, to be purchased with the funds she had provided.[2] Sir Francis carried out her injunctions, and the clock still fulfils its function of reminding the parishioners to make a right use of time. The inscription on the west wall of the church, adjoining the tower in which the clock was located, is, as nearly as possible, identical with the good lady's original memorandum on the subject:

This Clock was given by the Will of Jane Beresford, widow, Lady of this Manor; that it may remind all who hear it, to spend their time in an honest discharge of their calling, and of the worship of God, that repentance may not come too late.
MDCCLXXIJ.[3]

[1] *Life of Sir Francis Bernard.*

[2] See Chapter x. Volume I. of this work.

[3] The inscription may be read in the church. See also Lipscomb, *Hist. Bucks*, vol. i., 'Nether Winchendon.'

In 1770 someone—and it can only have been Mrs. Beresford—had again taken Queen Anne's Bounty, to augment in some small degree the stipend of the clergyman of Nether Winchendon.[1] In the same year (1770) Mrs. Beresford gave by her will a silver chalice and flagon to Nether Winchendon Church, thus completing the service of Communion plate to which her aunt—Jane Tyringham—had already contributed a paten. How the church had fared before, and whether its poverty was a consequence of Reformation plunder, is not on record. The inscription on Mrs. Beresford's gifts, which was probably composed by Sir Francis Bernard, is:

Given under the will of Jane Beresford, widow,
the only daughter of John Tyringham, Esqr.
the last of that Family
(who were Lords of this Manor for more than ℔00 years)
for the use of this Church
MDCCLXXI.[2]

The vigour of Sir Francis Bernard's constitution, mental and physical, is evinced by the fact that it was during this summer, at the Encœnia, on July 2, 1772, that he went to Oxford to receive the honorary degree of D.C.L.[3] The entry at Christ Church is: 'He received from the University of Oxford the Hon. Degree of D.C.L., and from Christ Church the honour of having his picture by Copley among the other illustrious Students in the Hall of that Society.'[4] The picture has from time to time been moved, to make way for newer favourites; it was at one time in the Library, and is now in the lecture-room in the Old or Little Library. Strange to say, he appears in this portrait a healthy and powerful man, but Copley, who had known him in America, may have drawn upon his recollections of former days, and this

[1] Lipscomb, *Hist. Bucks*, vol. i., 'Nether Winchendon.'

[2] The inscriptions on the plate, which is still in use, I have myself transcribed, and the gifts are recorded in Lipscomb's account of Nether Winchendon.

[3] Foster, *Alumni Oxonienses*.

[4] Communicated through the kindness of the Lord Bishop of Reading

is, perhaps, the cause of the stiffness observable in the picture, which was painted under circumstances trying both for the artist and the subject.

The sojourn at this new home—the old home of the Tyringhams—may have been regarded from the first as an experiment; it certainly did not answer. Pleasant as the stay at Winchendon was, for old remembrance' sake as well as for its own attractions, to Jane and Frances, and kindly as their sister Amelia may have taken to this quiet life, the peaceful shades of Winchendon brought no improvement to Sir Francis, and therefore no comfort to Lady Bernard. Indeed, the very seclusion may have depressed a man who, like the ex-Governor, had all his life been accustomed to society and action. Moreover, the difficulty of locomotion was a serious inconvenience to himself and his family, and, worst of all, perhaps, there was no medical attendance near at hand. Thomas Bernard writes:

> With a large family, and a state of health that required the perpetual attendance of the faculty to prolong his life, he soon found that his house at Nether Winchendon was too retired for his continued residence, and he accepted the offer, made him in September 1772 by Sir William Lee, of a house at Aylesbury, very well accommodated to Sir Francis Bernard's family and plan of life.

This was the Prebendal House of Aylesbury[1]—a substantial edifice, but of bright and cheerful appearance, probably at that time not more than a hundred years old. There must once have been a mediæval residence of the name, since Aylesbury had boasted a prebendary in very early times; but the connection between the town and its dignitary had become shadowy, and the actual house had been leased by the Dean and Chapter of Lincoln, of which diocese Buckinghamshire then formed a part, to a family named Meade. By virtue of his marriage with the heiress of these lessees, the famous or notorious John Wilkes had

[1] Gibbs (Robert), *History of Aylesbury*; Lipscomb, *Hist. Bucks*, vol. ii., 'Aylesbury.' The Prebendal House has been enlarged since Sir Francis Bernard's time.

for some years inhabited it. His wife, not being able to endure his society, went elsewhere. Since that time it had been purchased by Sir William Lee of Hartwell.

Whatever may have been the date of this gentleman's first acquaintance with Sir Francis Bernard, they now became fast friends, and their intimacy continued so long as Sir Francis lived. In addition to other points of sympathy, Sir William bestowed on his invalid friend the care of a medical adviser; he had studied medicine, and though some of Sir William's friends were inclined to question his skill—one, indeed, made merry over the 'miraculous cures' at Hartwell—Sir Francis relied much, but not solely, on his advice.

The move to Aylesbury was effected before the winter set in, which might have proved a trying time at Winchendon, and was satisfactory in all respects save the desolation which fell upon the old house.

In my youth there were many memories of Mrs. Beresford still lingering about the Tyringham home. I particularly remember hearing, that the village carpenter—Francis Wilson—was nephew of a man who had been acquainted with a person who was caretaker at the Manor House and accustomed to sit in the hall—now called the dining-room. This person—a woman to the best of my recollection—constantly saw Mrs. Beresford walk through, attired as in her portrait, and distinctly heard the rustle of her silk dress. Another tradition was, that the good lady could be seen walking to and fro in the orchard, after dusk, on a path leading to the mill lane. It would seem that many villagers watched her from the lane, or had perhaps ventured into the orchard in the absence of the family, since one woman at length declared that she would touch her in order to ascertain if she was really a visitant from another world. She did so, and her arm was paralysed.

Why this beneficent old lady should have been unquiet in her grave, and become a source of terror to the people of her village, it is difficult to say. The explanation given me by a former servant of my family—that she was afraid the name

fine day, either with him or the groom, I rode about the country. Both my cousins lived in a most handsome, liberal, and agreeable manner. One drove four blacks, the other four bays; within fifteen miles of each other, a constant intercourse was kept up, as the tenderest affection subsisted between them. Their characters varied, but both were good and amiable; Mrs. Edmunds more warm, earnest, open-hearted; Mrs. Shore more gentle, polished, and equable. . . . .

Both my cousins had all their maids in their rooms on Sunday evenings to read in the Bible in succession. . . . .

I happily recovered my health and returned to my family. . . . This was the first time of my seeing the sister next to me, Fanny, and the closest intimacy and friendship commenced between us, which continued during the many years we lived together. . . . .

Apparently some improvement now took place in Sir Francis Bernard's health, for in the spring of the following year (1773) he was able to spend some time in London, as will appear in the next chapter. In that year also Julia went to a school at Berkhamsted, in Hertfordshire. She says this happened when she was thirteen, and her birthday occurred in November; but she is not likely to have left home until after Christmas. The object apparently was to improve herself in accomplishments, as she ascribes the solid part of her education to the time spent at home. At her school she made the acquaintance of Elizabeth, daughter of Mr. William Herbert Noyes,[1] of Berkhamsted St. Peter's, who came there for dancing lessons. Of this young lady she has left a glowing description:

We were of the same age within a few months. I was much struck with the native elegance, simplicity, and elasticity of her appearance dressed in her common morning habiliment; her figure, manner, and native genteel movements rendered her everything that was pleasing; nothing childish or trifling about her. A mutual liking commenced between us. I was often invited to her home, and received the kindest attentions from her family. Our brothers were at school together at the same time; and the most friendly

[1] Burke's *Landed Gentry*, 'Noyes of East Mascalls.' By the help of this book I have been enabled to identify precisely these former friends and their family.

intercourse subsisted between the families, we young people often passing some time together, and our friendship has continued unbroken to this day. My friend never was at any school; from early days her parents took her with them into the best society, to London, and in travelling much about.

Apparently Julia did not remain long at Berkhamsted; probably it was not usual, when only accomplishments were required; or it may be that the school was not equal to the final touches, as the young lady afterwards went to Kensington for improvement. She, however, describes the home routine, as if neither the first nor second absence at school had interfered with home life to any appreciable extent.

The Bible reading in Lady Bernard's room continued, as in the American time, 'to the day of her death,' and her daughter adds:

I took much delight in reading serious books by myself. We had no novels or trifling books in the house. My mother's favourite book, I think, was 'Paradise Lost,' parts of which I got by heart. Reading and music were the chief recreations in our mansion; my father frequently read to us at night the best plays and amusing and interesting books; he never wore spectacles, and was fresh and handsome to the last. . . . . I think to this day with pleasure on the constant respect and attention we were in the habit of showing to my father and mother; their comfort and happiness seemed the first object of all. Some or other [*sic*] in constant attendance to accompany them in any moment.

Governor Hutchinson, whose renewal of intercourse with Sir Francis in England will be noted,[1] vouches for having retained to the last, even in severe illness, that power of telling a good story, or rather a multitude of good stories, with point and elegance which rendered him so agreeable as a companion.

Some attempts at versification by the younger members of the family have been preserved, through the care of the industrious Julia; but I do not know whether any can be ascribed to this early time, though probably

[1] *Diary and Letters of Governor Hutchinson.*

practice had already begun; unless it be the two following translations by Thomas Bernard. These are likely to have been pastimes of his leisurely youth; in after years his thoughts took graver directions:

Cupid to Chloe's breast was flown,
While Venus called him to her own;
'If you want Cupid, find some other,'
He cried, 'for I have changed my mother.'

Of his right eye young Acon was bereft,
And, lovely pair! { Lunilla, / his sister } of the left;
Give her thine eye, sweet Boy, so shall ye prove
The Goddess she, and thou the God of Love.[1]

The following trifle derives interest from being the production of Sir Francis Bernard. It also bears witness to the fact, that one of his daughters cultivated painting—they all probably did so—in an unpretending manner:

Motto to a Watch Paper painted by Jane Bernard, by Sir Francis Bernard.

Whilst you the gaudy wreath prepare
Of flowers that fade away,
Think of the wreath which you may wear
Which never will decay.

And whilst of hours that swiftly move
The minutes you explore,
Think of the endless joys above,
When time shall be no more.[2]

The accessibility of Hartwell, which was only about two miles from Aylesbury, was a constant source of pleasure to the whole family. Julia writes:

Residing at Aylesbury in Sir William Lee's house, we were always on the most intimate footing with that worthy family; few days, I think, passing that some of us did not meet; Lady izabeth frequently walking to us by herself, and we young ople often in divisions spending some time with her.

[1] From one of Julia Bernard's manuscripts. [2] *Ibid.*

Lady Elizabeth Lee was daughter of Earl Harcourt;[1] the nobleman sent to Mecklenburg to marry the Princess Charlotte by proxy, and bring her to England. In the very year when the Bernards began to reside in Aylesbury, he was appointed Lord-Lieutenant of Ireland. Lady Elizabeth had been one of the Princess's bridesmaids on her marriage to George III. Both father and daughter appear to have been remarkable for their simple, unaffected demeanour. Of the daughter Julia says:

> She was a most feeling and amiable woman, not of a strongly marked character, but so devoted to her husband in sentiment, we called her his echo. He was a man of superior intellect and character; we looked to him as to a beloved uncle, and he was really attached to us; setting me when with them to read and translate good and useful books—our winter evenings generally passed with our books . . . . I shall ever retain the most friendly and grateful feelings to his memory. Generally, when my father and mother went to London, some of us remained at Hartwell; we were as well content to be there.

Julia's narrative of Aylesbury life, though committed to paper many years after the events had taken place, is tinged with her feelings as a light-hearted girl in her teens. Her brother Thomas, whose mind had been early sobered by care, while in some respects he corroborates his sister's account, speaks mournfully of his father's last years:

> He here lingered out the residue of a life, extended by medical assistance, by the affection and assiduity of his family, and by the kindness of his friend and neighbour, Sir William Lee. The preceding period of his life had been consumed in the public service; the few remaining years that he had to command were occupied in the improvement of the county roads, and in benevolent attentions to the poor at Aylesbury—attentions that, after an interval of above ten years, upon his youngest son's late election to represent that borough,[2] were remembered and acknowledged in the most exemplary and affectionate manner.

[1] See Debrett's and Burke's *Peerages*; also Jesse's *Life and Reign of George III.*, and other royal biographies.

[2] Thomas Bernard wrote his *Life of Sir Francis Bernard* in 1790.

The writer states in a note, that the bridges and causeway on the road from Aylesbury to Oxford were, properly speaking, the work of Sir Francis Bernard. 'He made the proposal for them, drew the plans, and saw to the execution, and indeed advanced the money.'

Owing to the depression in this road just outside the town of Aylesbury, it must have been almost impassable for some little distance during a portion of the year by reason of floods. Three of these bridges remain—I do not know if there were ever more—but a railway bridge, at a much greater elevation over the road, has somewhat altered the aspect of this approach. The exertions made in various parts of England about this time to improve the condition of the main thoroughfares seem to have rendered possible the introduction of stage-coaches a few years later.

Thomas Bernard does not give any further instances of his father's efforts for the benefit of the neighbourhood. One item is mentioned in Mr. Gibbs's 'History of Aylesbury,' namely, that Sir Francis was one of the subscribers of 'one guinea and over' for a new peal of bells for the church in 1773.[1]

From sundry allusions in family writings it would seem that Lady Bernard kept up her interest in the poor, and especially in the education of their children. A more definite record of her exertions in another direction is given by Julia, who writes:

When I was about fourteen, I think, a circumstance occurred which strongly impressed my mind—my mother saving the life of a poor man left under sentence of death at the assizes at Aylesbury for a robbery. A report got about that the man had met with hard measure, as one witness proved an alibi. My mother on hearing this sent for the gaoler—my father was in town—and gathering all the information she could from the man, one of us wrote down the particulars. She was going to town, took the papers, and they were laid before the Home Secretary of State. An immediate respite was sent. I went with a lady to the jail. The gaoler showed us thro' a window the man mentioned and

[1] Gibbs, *History of Aylesbury*, ch. iv.

another under condemnation reading together in the Bible. After full investigation, it was proved that the man had been hastily condemned. My mother returned; he was liberated, and came to our house, begging, with his wife, to see her and thank her. She went to the hall-door, I with her; it was an affecting moment; I can scarcely recollect it without emotion.[1]

This story suggested to Julia another, connected with the neighbourhood, and also illustrative of the slovenly administration of justice at that period, when the penal code was so severe that a hasty judgment was really a crime. Very small offences then entailed capital punishment, yet terrible mistakes were made from want of care, and persons wholly innocent of any offence were not unfrequently executed. Such anecdotes as the two related by Julia indicate that public opinion was beginning to be roused as to the state of the criminal law; but unfortunately it was not every prisoner who found friends to urge the resifting of his case. The second story is as follows:

A coachman who lived with us many years had the nickname of 'Pigeon' from the following circumstance. He was then postboy at the principal inn [in Aylesbury evidently]; a man was to suffer at Buckingham at twelve; towards eleven a reprieve came to the inn to be forwarded. 'Oh! too late, he cannot be saved!' they exclaimed. 'Let me choose my horse,' said the boy. 'Take any.' He was off in a moment, and arrived just in time to huzza a reprieve. What a joy! It was seventeen miles.

[1] 'Reminiscences.'

CHAPTER XXVII

THE PROGRESS OF AMERICAN AFFAIRS

Phillis Wheatley in London—Her Marriage and Death—Benjamin Franklin—Bitterness of his Attacks on Sir Francis Bernard—Troubles of Governor Hutchinson—The Petition for his Dismissal and that of Lieut.-Governor Oliver Dismissed—The Boston Tea Riots—Death of Andrew Oliver—General Gage appointed Governor of Massachusetts—Return of Governor Hutchinson—He Resumes Friendly Intercourse with Sir Francis—Exodus of Loyalists from America—The First 'Continental Congress'—Pensions to Sir Francis and Lady Bernard.

FROM a letter of Benjamin Franklin to Thomas Cushing, who continued Speaker of the House of Representatives in Massachusetts, it appears that Sir Francis Bernard had in the May of 1773 sufficiently recovered to be in London and holding conferences with the Earl of Dartmouth,[1] Lord Hillsborough's successor as Secretary of State for the American colonies. This may not have been his only visit to town in that year, but it is the only one of which I have any particulars, and was probably undertaken at some risk, seeing that his health must still have required great care.

Before proceeding to relate some incidents in the troubled political life of the day, an event remote from politics, but memorable in its way, may be noticed. Phillis Wheatley, the Boston negress, whose early life has already been recorded in these pages, came to England in this year, with a letter of recommendation signed by Governor Hutchinson, Lieutenant-Governor Oliver, and also by several leaders of the nationalist party.[2] 'She carried London by storm. Thoughtful people praised her; titled people dined her, and the Press extolled the name of Phillis Wheatley,

[1] Franklin (Dr. Benjamin), *Autobiography*.

[2] Williams, *The History of the Negro Race in America*, ch. xiv., 'The Colony of Massachusetts.'

the African poetess.' A small octavo volume of her poems was published with a portrait. I have no evidence to show that Sir Francis or Lady Bernard met her in town, though it is highly probable; her portrait, which must have been engraved for separate distribution as well as to illustrate her book,[1] is at Nether Winchendon. The book is not to be found, but any volume owned by Sir Francis may, of course, have easily been lost during the interval between its publication and the present time. It passed through several English and American editions.

The remainder of this young negress's history is sad, though certainly not sadder than the career of many a white woman. Her mistress, Mrs. Wheatley, sickened and fretted at the absence of her adopted child. Phillis hastened home at her summons, arriving but just in time to close her eyes. Her husband and daughter did not long survive; her only son had married and settled in England. 'Phillis was alone in the world.'

She was at this time only twenty; probably she had not been left destitute, but her previous life had ill-fitted her to bear the complete isolation of her position. Marriage with a white man was impossible; and it was almost equally impossible to find any suitor of negro descent approaching her in refinement. In this forlorn state she was courted by a coloured inhabitant of Boston, called John Peters, who

kept a grocery store in Court Street and was a man of handsome person. He wore a wig, carried a cane, and quite acted the gentleman. In an evil hour he was accepted, and, though he was a man of talent and information—writing with fluency and propriety, and at one period reading law—he proved utterly unworthy of the distinguished woman who honoured him with her alliance.

Their incompatibility was soon manifest; then came the loss of their only child. Yet Phillis's life had its compensations; she corresponded with the Earl of Dartmouth, the Countess of Huntingdon, and George Whitefield, and

[1] The date of the engraving is 1774.

also addressed a poem to General Washington, which pleased him so much that he wrote her a letter. The end was melancholy.

Ignorant of the duties of domestic life, courted and flattered by the cultivated, Peters's jealousy was at last turned into harsh treatment. Tenderly reared, and of a delicate constitution, Phillis soon went into decline, and died Dec. 5, 1784, in the 31st year of her age, greatly beloved and sincerely lamented by all whose good fortune it had been to know of her high mental endowments and blameless Christian life.

Lord Dartmouth stood forth, by consent of most historians, as the one undoubtedly pious Minister of the time in England. He was more yielding than Lord Hillsborough, and consequently more urbane to Dr. Franklin, who describes an interview with the Secretary, in May 1773, in which the answers of the Massachusetts Assembly to Governor Hutchinson's speech were discussed. Franklin apparently assumed that the Governor had called in question the unanimity of the Assembly.

'I do not recollect,' said his Lordship. 'that the Governor has said anything of that kind. I am told, however, by gentlemen from that country, who pretend to know it, that there are many of the Governor's opinions, but they dare not show their sentiments. 'I never heard,' said I, 'that anyone has suffered violence for siding with the Governor.' 'Not violence, perhaps,' said his Lordship, 'but they are reviled and held in contempt, and people do not care to incur the disesteem and disrespect of the neighbourhood.'

As I knew that Governor Bernard had been with his Lordship just before me, I thought he was probably one of those gentlemen informants, and therefore said: 'People who are engaged in any party or have advised any measures are apt to magnify the numbers of those they would have understood as approving their measures.' His Lordship said: 'That, it was natural to suppose, might be the present case, for whoever observed the conduct of parties must have seen it a constant practice,' and he agreed with me that, though a *nemine contradicente* did not prove the absolute agreement of every man in the opinion voted, it at least demonstrated the great prevalence of that opinion.

Franklin was the author of two satirical pieces which appeared in the 'Public Advertiser,' entitled, 'Rules by which a Great Empire may be Reduced to a Small One,' and 'An Edict of the King of Prussia.'[1] Allusion is evidently made to these pieces in the following letter to Cushing, dated '1 Nov. 1773:'

> The pieces I wrote to increase and strengthen those sentiments were more read and talked of than is usual. The first, as you will see by the enclosed, has been called for and reprinted in the same paper, besides being copied in others and in the magazines. A long, laboured answer has been made to it (by Governor Bernard, it is said), which I send you. I am told it does not satisfy those in whose justification it was written, and that a better is preparing.

I have no means of ascertaining whether Sir Francis Bernard was the author of this answer, which appears to have been signed 'D. E. Q.,' as I have not seen it or found any mention of it elsewhere, either in print or in manuscript. The topic is followed up in another letter by Franklin, which Mr. Tudor in his Life of Otis holds up to admiration. It is here given as a specimen of Franklin's controversial style.

To the Editor of the 'Public Advertiser.'

Sir,—'D. E. Q.,' that is, Sir F. Bernard, in his long, laboured, and specially dull answer to 'Q. E. D.,' endeavours to persuade the King that, as he was His Majesty's representative, there was a great similitude in their characters and conduct, and that Sir F.'s enemies are enemies of His Majesty and of all Government. This puts one in mind of the chimney-sweeper condemned to be hanged for theft, who, being charitably visited by a good clergyman for whom he had worked, said, 'I hope your honour will take my part, and get a reprieve for me, and not let my enemies have their will, because it is on your account that they have persecuted and sworn against me.' 'On my account? How can that be?' 'Why, sir, because as how, ever since they knew I was employed by your honour, they resolved upon my ruin, for they are enemies to all religion, and they hate you and me, and everybody in black.

Z. Z.[2]

[1] These are both given at length in the *Life of Benjamin Franklin, written by Himself*, vol. ii. ch. v. and vi., edited by John Bigelow.

[2] Tudor, *Life of James Otis*, note to ch. xvi.

While on the subject of anonymous or semi-anonymous letters, it may be mentioned that a book, or rather a bound pamphlet, for it consists of sixteen 12mo pages only, entitled 'The Causes of the present Distractions in America explained in two Letters to a Merchant in London. By F. B. Printed in the year 1774,'[1] is—or was—in the catalogue of the British Museum ascribed to Sir Francis Bernard. This is evidently an error. Neither the style nor the opinions coincide with the Governor's authenticated writings; nor is the matter viewed from the standpoint of one who had resided in Massachusetts. It was printed in New York, and comments on the conduct of an 'officious Governor' who sent home an angry and aggravating letter 'on the quartering of the troops.' This Governor must almost certainly have been Sir Francis. There is no appearance of disguised irony in the composition—no reason therefore to suppose that he was writing about himself under an assumed character, in which case he would probably have used other initials; nor is it likely that he would have sent any work of his to a New York printer.

The importance with which Franklin credited the ex-Governor is manifested by the bitterness of his attacks. In the article already noticed—'Rules for Reducing a Great Empire to a Small One'—his acrimony vents itself as follows; Rule 5 is:

> Be careful whom you recommend to public offices. If you can find prodigals who have ruined their fortunes, broken gamesters or stock-jobbers, these may do well for Governors; for they will probably be rapacious and provoke the people by their extortions. Wrangling proctors and pettifogging lawyers, too, are not amiss; for they will be for ever disputing and quarreling with their little parliaments. . . .

The last sentence was, of course, aimed at Sir Francis, and expresses the American view of his professional status. Rule 7 says:

> When such Governors have crammed their coffers, and made

[1] The back of the volume, after the title, is lettered 'New York, 1774.'

themselves so odious to the people that they can no longer remain among them with safety to their persons, recall and reward them with pensions. You may make them baronets, too, if that respectable order should not think fit to resent it.

The troubles of Governor Hutchinson, as may have been inferred from Franklin's observations to Lord Dartmouth, were not diminishing. After a temporary lull following the removal of one regiment, party politics again raged openly. Secret machinations also were still at work. Hutchinson, like Bernard, experienced the humiliation of seeing his letters hawked about, as did likewise his Lieutenant-Governor, Andrew Oliver, and a few other gentlemen. Franklin was implicated in the process by which these letters were made public.[1] According to his own account, they were placed in his hands by a member of Parliament, not named, with whom he had held discussions, in order to show that some of the best people in America desired measures of coercion as well as the English Tories. These letters expressed much the same sentiments, and advocated much the same measures, as the previously published missives of Governor Bernard; they had been written in 1768 and 1769, and were addressed to 'Thomas Whately, Esq., M.P.,' whose correspondence with Mr. Grenville[2] has already been quoted in this volume. He had since died. Franklin forwarded the letters to Boston, where they afforded an opportunity for the leading nationalists to exasperate the people against the writers—in fact, against English rule. The excitement increased, and resulted in a petition from the Assembly to the Crown desiring the removal of Hutchinson and Oliver. This was forwarded to Franklin for presentation, and was sent by him to Lord Dartmouth in August 1773.

[1] The details of these transactions are to be found at more or less length in Hutchinson, *Diary and Letters*, vol. i. ch. iii.; *Hist. Mass.* ch. iii.; Franklin, *Autobiography*; Belsham, *Memoirs of the Reign of George III.*; Parton, *Life and Times of Franklin*; Hosmer, *Samuel Adams*, ch. xv., 'The Hutchinson Letters'; Lecky, *History of England in the Eighteenth Century*, vol. iv. ch. xi.; and other histories of the time.

[2] See ch. xxiii. of this volume.

When these letters were published in the London newspaper, Mr. William Whately, a banker, brother and executor of Mr. Thomas Whately, impugned the conduct of Mr. John Temple, the Commissioner of Customs at Boston, who had been allowed to remove his own and his brother's letters from amongst the deceased gentleman's papers without any supervision. It was known, that he had announced to friends, beforehand, the probable arrival of the letters from America. Temple challenged Whately, and a duel took place on December 11, 1773, which he is said to have fought in a vindictive spirit, and with small regard to the recognised rules of such encounters. Whately barely escaped with his life.

Franklin believed that a letter which he wrote, asserting that Mr. Temple could not have taken the letters because they had never been in the possession of Mr. William Whately, but had been obtained from another source, and also vindicating the circulation of the letters on the ground that they were public documents, would end the affair. But, to his surprise, he was summoned before the Privy Council in January 1774, when the Petition for the dismissal of Hutchinson and Oliver was heard and discussed, and met with rough handling from Wedderburn, the Solicitor-General. Franklin's friends lauded his behaviour on this occasion, as that of a hero in the presence of four Ministers and thirty-one other Privy Councillors, all inimical, and all, it is said, except Lord North, overstepping in their excitement the bounds of propriety. On the other hand, General Gage wrote to Governor Hutchinson on the rejection of the Petition:

> I suppose no man's conduct and character was [*sic*] before so mangled and torn as Dr. Franklin's was at this time; people wondering he had confidence to stand it, with the contemptuous looks of the audience upon him. . . . I sincerely congratulate you and Mr. Oliver upon a victory as compleat as ever was gained. . . .[1]

[1] Hutchinson, *Diary and Letters*, vol. i. ch. iv. Party feeling ran high on this subject. There is a very full account of the case in Parton's *Life and Times*

Mr. Lecky remarks[1] that Franklin's best defence, though apparently he dared not bring it forward, would have been that the Government had done the same thing. Ministers were utterly shameless in the matter of opening letters and making use of them; they even kept duplicate seals for use in such transactions.

While these events were taking place in England, serious demonstrations had disturbed the tranquillity of America. Tea, as the only article for which the Americans were now taxed, had become in the eyes of the Boston irreconcilables the hateful symbol of their subjection to England. And now 'A large quantity of tea, subject to a duty of 3*d.* per lb., by advice of Ministry, was shipped to the colonies, and 600 chests of it was (*sic*) ordered to Boston. It was soon resolved by the people that this duty should not be paid.'[2] So writes Governor Hutchinson. The tea belonged to the East India Company, in whose warehouses it had been accumulated during the late disputes, and who had taken advantage of a recent Act of Parliament to pay the duty itself;[3] a well-meant proceeding, which seems to have further exasperated the nationalists. As usual, the worst scenes took place at Boston.

The subsequent events would not require more than a passing notice here, were it not that I believe John Bernard to have been one of the victims. I have not found any manuscript or printed book bearing on the subject. He is

of Franklin, in which the latter figures as a persecuted but noble being. Horace Walpole wrote an epigram on Wedderburn, highly eulogistic of the American. Wedderburn was afterwards Lord Chancellor and first Lord Loughborough. Temple assumed the title of baronet on the death of a distant relation; his right to the succession has been questioned.

[1] Lecky, *Hist. of England in the Eighteenth Century*, vol. iv. ch. xi. It would seem that Franklin, in the vindication of his conduct in his published 'Works,' accused Hutchinson of having previously allowed his letters to be opened.

[2] Most of the details of the Boston Tea Riots are taken from Hutchinson's *Diary and Letters*, vol. i. ch. iv. They are corroborated by other writers on this period of history, whose names have appeared in notes to this volume.

[3] Belsham, *Memoirs of the Reign of George III.*, book xvi.

not mentioned in Hutchinson's account, but it is almost certain that the 'series of confinement and sufferings,' to which Thomas Bernard, in the biography of Sir Francis,[1] alludes as inflicted on his brother, must have included some ill-treatment at this crisis. John Bernard had long been proclaimed a contumacious trader; his position as Naval Officer of the Port, and his relationship to the late Governor, were additional reasons for the enmity of the irreconcilables.

Governor Hutchinson's narrative of the agitation up to its final catastrophe is continued as follows:

One-third of the tea was consigned to two sons of the Governor; and it was insinuated that he was a promoter of the measure, though it was directly contrary to his wish, and to the interest of his sons, who were put out of a profitable business they were in, of importing tea themselves. The Governor, foreseeing the difficulty that must attend this affair, advised the consignees to order the vessels when they arrived to anchor below the Castle, that if it should appear unsafe to land the tea, they might go to sea again; and when the first ship arrived, she anchored accordingly; but when the master came up to town, Mr. Adams [that is, Samuel[2]] and others, a committee of the town, ordered him at his peril to bring the ship up to land the other goods, but to suffer no tea to be taken out. The ship being entered, the Custom-house officers would not clear her out until the duty on the tea was paid. This brought on greater disorder and confusion than ever. A formal demand was made of the Governor to give a pass for the ship without clearing at the Custom-house. This he could not do without violation of his oath.

Belsham, as might have been expected, blames the Governor; but, as was scarcely to be expected, he seizes the opportunity of lauding the late Governor. Hutchinson, he says, 'might have recollected that his predecessor, Sir Francis Bernard, in a like exigency, granted permits to many ships not qualified for want of stamps, and that the prudence and propriety of his conduct had never been called

[1] *Life of Sir Francis Bernard*, 'Concluding Remarks.'

[2] See Hosmer, *Samuel Adams*. The conduct of Mr. Hosmer's hero during this crisis is related at length in several chapters.

in question.'[1] There were, however, differences in the two cases, which the reader will discover for himself.

Governor Hutchinson writes to an absent son, November 30:

Hall, arriving on Sunday, caused one of the old sort of meetings of town and country the next day, where they resolved in Dr. Sewall's Meeting House that the tea should be shipped back, and that no duty should be paid, and 25 were appointed as a guard upon the ship last night, Hancock and Adams being two of the guard. The gentlemen, except your Uncle Clarke, all went to the Castle about 3 o'clock yesterday. . . .[2]

This means, no doubt, that young Thomas Hutchinson, with the Commissioners of Customs and other consignees, had taken refuge in the Castle from the fury of the populace.

December 13, 1773, is memorable as the day on which a mob of Bostonians, disguised as Mohawk Indians, boarded the ship, broke open three hundred and forty-two chests of tea, and threw their contents into the sea. This is called by Americans 'The Boston Tea-party.'

On the following day Thomas Hutchinson, junior, wrote to his brother, who must have been his fellow-consignee, but was, luckily for himself, at some distance from Boston, probably at Middleborough:

'I imagine you are anxious to know what the poor banished consignees are doing at the Castle. Our retreat was sudden; but our enemies do not say we came too soon; how long we shall be imprisoned 'tis impossible to say. . . . We have since had application from the owners and masters of the vessels to receive the teas, who at the same time acknowledged 25 armed men were watching the vessel to prevent it; however they have protested against us. I suppose they have taken this step more to serve themselves than to hurt us; but being surrounded with cannon, we have . . .[3] them such answers as we should not have

[1] Belsham, *Memoirs of the Reign of George III.*, book xvi.

[2] Mr. P. O. Hutchinson, editor of the Governor's *Diary and Letters*, believed that this letter was addressed to a son who had taken refuge in the Castle; but the last sentence quoted above is, to my mind, conclusive against this opinion. It must have been addressed to Elisha, who was evidently away from Boston.

[3] Part torn.

dared to do in any other situation. I hear there is a meeting of the mobility to-day, but don't know the result. . . . The Commissioners are all with us, and we are as comfortable as we can be in a very cold place, driven from our family's [*sic*] and business, with the months of Jany. and Feby. just at hand. . . . Give my love to everybody, and tell Peggy [his youngest sister] I have the pleasure of drinking her health very often with the other toasts of the town. . . . Our situation is rendered more agreeable by the polite reception we met with from Col. Leslie and the other gentlemen of the Army.' [1]

On January 9, 1774, young Hutchinson had '"stole up the river with Salisbury"' to his father's house at Milton for a few days. He then says that he expects to quit the Castle altogether '"some time this week, as we are all provided with retreats in the country. I have had a disagreeable six weeks of it, but am in hopes the issue will be well."' But on the 21st he writes in a less cheerful spirit; his conduct had been imprudent, and he suffered accordingly:

'I was in hopes our harrassment was drawing to a close, and that we should leave the Castle the last week. Mr. Faneuil and myself coming off caused a suspicion that we intended for Boston, which was the means of Saturday's notification, which I sent you. Mr. Faneuil is since returned to the Castle, and I am really more confined than if I was there, as I keep pretty close to my room.'

Thomas was then at Milton. It is probable that his condition gradually improved. The terms of the notification do not appear.

When writing to Sir Francis Bernard on March 9, Governor Hutchinson alludes to 'the tea business, of which you have had a full account.' [2] Probably the account was in a letter or letters from John Bernard; but if John had been one of the party at the Castle, he was evidently there no longer, though where he was, indeed, is doubtful; for Mr. Hutchinson could scarcely have failed to mention him with others.

[1] Hutchinson, *Diary and Letters*, vol. i. ch. iv.

[2] Of this letter Governor Hutchinson probably kept a copy, since it is published in the *Diary and Letters*, vol. i. ch. iv.

Mr. Clark and his son and Mr. Faneuil are still confined to the Castle; my eldest son and his family are with me at Milton; my other son and his family at Middlesborough; and neither of my sons have dared to appear in Boston since the latter part of November, to the total neglect and ruin of their business.

From the determined spirit of resistance which John Bernard had already shown it is not at all unlikely that he had refused to retreat to the Castle, and had been imprisoned in the town.

There is an allusion in young Thomas Hutchinson's letter of January 21 to 'the base treatment' which his brother Elisha and Colonel Watson, apparently a relative by marriage, had met with at Plymouth. On the 25th, their sister Margaret, or Peggy, aged seventeen, wrote to Elisha's wife: '"Dear Polly, you may now know how to pity me, who have been running from a mob ever since the year sixty-five."' It may be imagined that the Governor himself considerable risk, and some of his friends thought that he would have been best in the Castle; but this move he would have considered a dereliction of duty. He had already obtained leave to visit England; indeed, had apparently offered to resign his Government, but he thought right to remain at his post until order was restored. On March 3 the Lieutenant-Governor died, and this rendered the Governor's departure impossible for the moment, since was no one to leave in charge.

Andrew Oliver, the Lieutenant-Governor, succumbed beneath his burden of care and sorrow. He was li worried to death, the conduct of his enemies agg domestic bereavements for which they had no pity. His brother, Peter Oliver, the Chief Justice, who had b impeached for accepting a salary from the Crown, dared no attend his deathbed or his funeral, although he was a of some nerve, on account of the strong probability of be lynched. The Governor wrote to Mr. Mauduit: 'The Lieutenant-Governor is out of the reach of the malice of his enemies. They followed him, however, to the grave. part of the mob, upon the relations coming out of the

ing ground, giving three huzzas; and yet few better men have lived.'[1]

On May 13 came a surprise to all parties.[2] In consequence of the startling news from Boston, General Gage was at once appointed Governor of Massachusetts by the English Government, and sent thither in hot haste, the idea being that the approaching departure of Governor Hutchinson and the death of his Lieutenant-Governor would leave the province in a state of anarchy. Gage arrived only three days after the intelligence of the passing of the Boston Port Bill, for the total closing of the port had struck dismay into the minds of loyalists and nationalists alike. The effect on the fortunes of John Bernard will appear hereafter.

Massachusetts was, in fact, now placed under military rule, with the understanding, according to the 'Diary,' that when it was pacified Hutchinson should be reinstated. His great-grandson asserts that he always considered himself the Civil Governor, and was often consulted as such in England. The new Lieutenant-Governor was Thomas Oliver, who, although he bore the same name, was not a relative of the obnoxious family.

General Gage was received with formal demonstrations of loyalty, but with little cordiality from the nationalists, of course, while the enthusiasm of the loyalists had been chilled. Hutchinson now made haste to depart, taking with him Elisha and Peggy. He believed the separation to be only temporary, but none of the travellers ever returned. Their voyage was expeditious, since they sailed on June 1 and reached England on June 29.

Soon after Governor Hutchinson's arrival in the Mother Country he resumed his habits of friendly intercourse with Sir Francis Bernard and his family. On July 6 he writes to his son Thomas, who had remained in Massachusetts: 'I have not seen Sir F. Bernard, but he sent to me last night,

[1] *Diary and Letters*, vol. i. ch. iv.

[2] Hutchinson, *Diary and Letters*, vol. i. ch. iv. and v. For public events see also various Histories of the time.

desiring me to meet him at the Encœnia at Oxford to-morrow, assuring me of the honours of the University; but I shall not go.'[1]

A little further on he notes in his Diary:

21st.—Set out with my daughter and son E. in a postchaise, and dined with Sir F. Bernard in company with Lord Say and Lady Say, who are both persons of moderate abilities, and Lord Say of a moderate fortune, about 700£ per an.

From the Diary of the Governor's son Elisha, it appears that the journey with post-horses could be accomplished in six hours. They left London at eight and arrived at two in good time for dinner. The habit of chronicling everybody's fortune, upon evidence more or less trustworthy, was a feature of the times, as may be ascertained by [illegible] the 'Gentleman's Magazine,' where the fortunes of [illegible] all brides are entered in the notices of marri[illegible] the lists of deaths also such particulars are not common.

'I asked his Lordship,' continues Mr. Hutchinson, 'many removes he was from his predecessor in K. Ch[illegible] first and second time. I found he knew little or not about his pedigree.' This want of interest was incomprehensible to the Governor, who had come to Ayl[illegible] determined to discover all he could about his mot[illegible] family, and materially affected, it would seem, his opinion of Lord Saye. The Lord Saye and Sele—this was and is full title—of Charles I.'s time had been one of the pro[illegible] of the Massachusetts Bay Settlement, and was ther[illegible] in Mr. Hutchinson's estimation, an ancestor to be h[illegible] perpetual remembrance. Notwithstanding his slig[illegible] remarks, however, the acquaintance did not drop. Saye called on him in town.

July 22.—Walked with Sir F. B. between two and three to Sir William Lee's ground, and most elegant seat, and full view of his house, walks, kitchen garden, &c.

[1] Hutchinson, *Diary and Letters*, vol. i. ch. v. The succeed are taken from the same chapter until another is named.

Elisha describes Hartwell as a place 'which exceeds anything of the kind I have yet seen.'

Governor Hutchinson continues:

Sir Francis I found more altered by a paralitick shock than I expected, though the accounts had been unfavourable. His intellectual powers, however, not sensibly impaired. We had [a] long conversation about old affairs in New England, as well as more recent, since he left it. He mentioned, among other things, that he apologised to Lord Mansfield for appointing me Chief Justice, not having been bred to the law; adding that he had no cause to repent it. Lord Chief Justice Wilmot being by, broke out with an oath: 'By —— he did not make a worse Chief Justice for that!'

Chief Justice Wilmot,[1] it should be observed, is said by his biographer to have been a very religious man; his most unnecessary oath must therefore be ascribed to the manners of the age.

Sir Francis Bernard does not appear to have kept a diary; if he did, it has disappeared, and only two of his manuscript letters, both referring to family matters, are in my possession.[2] Nor do those letters of his children which remain throw at all a full light on his movements, or name more than a few of the friends whose attentions solaced this period of his life. The Diary of Governor Hutchinson is, under these circumstances, most valuable in filling up the blanks—though in part only—and no excuse is needed for the long extracts here made from it.

In the September of the same year (1774) Governor Hutchinson was again in Aylesbury, this time accompanied part of the way by his youngest son, William, or Billy, who had been sent to seek his fortune in England before any other members of the family were driven there.

23rd.—Set out about eight from Golden Square in my own carriage with Billy for Aylesbury. Dined at Amersham. B. went

[1] *Memoirs of the Life of the Right Hon. Sir Eardley Wilmot, Knight, late Lord Chief Justice of the Court of Common Pleas*, by John Wilmot, Esquire.

[2] One of these, addressed to Joseph Offley, Esquire, has already been given in ch. ix., vol. i.; the other, addressed to Scrope Bernard, appears in ch. xxviii.

from thence to Mr. Lowndes's at Chesham, 3 miles. I went f
ward, and reached Sir F[rancis] B[ernard's] soon after sunset.

24th.—Sir Wm. Lee and Lady Elizabeth dined and spent t
evening at Sir F. B.'s. Among other things, in conversation I lea
that there are about 400 voters for members in Aylesbury; that up
an election all except about 70, who are above it, receive
each of the two members between seven and eight pour
man; so that with entertainment upon the day of election,
other contingencies, the whole expense to each is about 2
The corruption thro' the kingdom, notwithstanding the Bi
Act, will prevail. Alderman Hayley recd. a letter offering
borough in Cornwall for 2,000£.

This was a state of things very startling to an America
of that day. Hutchinson and Franklin, notwithstandin
their differing political views, both wrote strongly on th
subject; they were also agreed in considering the standar
of social morality lower in England than in America, an
Hutchinson evidently thought the English, as a nation, ver
sceptical in religion. He says: 'It was a reproach to a ma
to be a serious Christian.'

25th.—A young man named Stocking is curate at A
and preached all day. Here they chant or sing the
Jubilate, and Magnificat, which is not usual, but
well performed, and so distinct that you hear every rd,
the musick is well adapted to the words. I could not
being sensibly affected at seeing the boys of the Free School
their master in a particular part of the church, as it bro
my mind that Col. Foster, my mother's father, was of A
and I suppose of the same school (he being a very good g
scholar), and I doubt not a little more than a hundred
sat in the same place. The church, though a very cent
being very old, and by the appearance of it, has reta
general form and disposition of seats for more than one c
centuries.

This 'form and disposition of seats' has been des
with some minuteness in Mr. Gibbs's 'History of Ay
I remember when little could be seen inside the
save pews and galleries; the pews being in some
lofty that, with the aid of curtains, they almost r

galleries, and the arrangements, it is said, left many odd corners for accumulations of lumber. By the middle of the nineteenth century ideas were changing; the restoration of the church was then begun, and completed in due course. Since that memorable event, the inhabitants of the town have probably considered the epithet 'grand' not too sonorous to describe the appearance of St. Mary's Church, Aylesbury.[1]

26th.—Dined at Sr Wm. Lee's. The weather prevented Sir F. B. An elegant entertainment, probably all from within himself, as he keeps about 200£ in his own hands. His estate is said to be about 3,000£ pr annum. Cards in the evening. The game a shilling a corner, and the custom is kept up for each person to pay 18*d.* for cards when they play with two packs and a shilling when with one. Vails are generally laid aside. This mean custom still kept up.

In a note the Editor asks: 'What does this mean?' Then follow these further observations upon the fashion of card-playing—mania it may almost be called, since cards formed an almost indispensable feature in the social gatherings of the period.[2] 'At Lord Barrington's they play a shilling a game or corner, and pay for cards. He says everybody that plays is a loser at the year's end. His butler is the only person who gains by cards.' This Mr. Hutchinson probably heard from Sir Francis.

The next passage, which speaks of the Hartwell host as a benefactor to the neighbourhood, is pleasanter reading. 'Much to Sir Wm. Lee's honour is his practising as a physician gratis. The poor of Aylesbury always make use of him as a physician without cost. Sir F. B. also relies much upon his advice.'

27th.—Rode out upon Mr. Thom. Bernard's mare; the first time I ever was on horseback in England. Found the goings of the

[1] Sundry minor alterations and additions have been made since the general restoration; see Gibbs (Robert), *History of Aylesbury*, ch. iv., 'The Parish Church'; and are still being made.

[2] In my youth I heard an elderly lady speak with no pleasurable recollections of the evenings when, as a girl, she used to find herself set down to long games at cards, to the detriment of her pocket-money, without compensatory enjoyment.

horse better than expected. Took a view of Lord Chesterfi house, late Sir Wm. Stanhope's, built in a low meadow or side of the Thame, which runs into the Thames, as does the or Ouse from Oxford; and some say Thame Isis is the r abbreviated by Thames.

'Took a view' appears to mean viewing the out from the grounds. This is probably all that the Governor at Eythrope, which was at that time the property of a young Earl of Chesterfield but distantly related to the distinguished Earl and his brother, Sir William Stanhop

We then (Sir F. B. and myself) took a view of a Castle, l by Sir John Vanhatton [?], a gent., of 2,000£ a year, about miles from S[r] Wm. Lee's, in imitation of one of the Gothic of the Barons, but upon a small scale. From the top we prospect of great part of the county of Bucks. Windl particularly, lies about 3 miles, and some part appeared, but chief part lies behind a hill.

The condition of the road, which from Dinton is a cr road, and was, it may be assumed, left in a rough state, to with the small margin of time remaining, and per s Sir Francis Bernard's state of health, seem to have pre the extension of the ride to Nether Winchendon. Sir J Vanhattem, (so should the name be written), r Dinton Hall. The so-called Dinton Castle just descri 'a folly,' built chiefly for show, according to a fashion o day. On the return of the two gentlemen to Aylesbur 'Diary' records that

Sir Wm. Lee and Lady drank tea and spent the e Sir F. B.'s: received much civility from him and his l

28th.—The morning very rainy, which hinder setting out for London until after 9. Showery all day roads bad. Dined at Watford, and came home just abou

In the following November Sir Francis Bernard w London, evidently on affairs of importance, since he r in most unfavourable weather, notwithstanding his paired health. From the few details given by Hutchinson it is clear that his business related to A

subject on which he seems to have been still consulted by the Ministry. News was, no doubt, beginning to arrive of the outrages which threatened anarchy in Massachusetts. Courts of Justice were in the hands of the mob; judges, sheriffs, barristers, insulted and sometimes imprisoned; loyalists tarred and feathered, and in many ways so ignominiously and cruelly treated that there was safety for them nowhere but 'under the very guns of British soldiers.'[1] And the forces were quite insufficient to put a stop to these barbarities.

Mr. Hutchinson writes in this month of November:

22nd.—There was snow enough this morning to cover the ground, and it continued snowing until near noon; but rain coming on, it was all gone by night. Sir Francis Bernard came to town just at dark, and took up his lodgings at my house. I could not help remarking to him the uncertainty of human affairs. Ten years ago, when he was Governor and I Lt.-Governor, nothing was more improbable than my succeeding him, and both of us being obliged to come to England—he, to entertain me at his house in Aylesbury, and I, him at my house in London.[2]

It seems not unlikely that special arrangements had been made for Sir Francis to reside with his friend, it being most undesirable that he should be alone either in lodgings or at an hotel. On a subsequent occasion he made a long stay with Mr. Hutchinson. This November, the day after his guest's arrival, the host notes in his 'Diary': 'Mr. John P.' (evidently Pownall, the Under-Secretary and brother of the former Governor) 'came home with Sir F. B. and dined with me.' On the following day, the 24th, Mr. Hutchinson removed from Golden Square to a better house in St. James's Street, and seems to have taken Sir Francis with him. On the 26th he writes: 'I went with Sir F. B. in my coach to Mr. Mauduit's in the city, who we found very much hurt that Q. should have had admittance to any of the Ministry

[1] Lecky, *Hist. of England in the Eighteenth Century*, vol. iv. ch. xi. I hope to give some further particulars of the sufferings of American loyalists in a subsequent volume of this family chronicle.

[2] Hutchinson, *Diary and Letters*, vol. i. ch. vi.

after he had published so impudent a book.' Quincy, the person here intended, was the young barrister who had been one of the defenders of the soldiers tried for murder after 'the Boston Massacre,' but, like his colleague on that occasion, John Adams, he was a nationalist, and had in 1768 written a series of articles in the 'Boston Gazette,' under the signature of 'Hyperion.' The book to which Mr Mauduit alluded must have been 'Observations on the Boston Port Bill,'[1] namely, the Bill for closing the port in consequence of the recent destruction of tea, and was probably violent in opinion and language, since Josiah Quincy was a thoroughgoing Republican. Mr. Mauduit, as already noticed, had acted as agent under both the Governors, who had declined to recognise the persons nominated by the House of Representatives only as representing the province. 'Mr. Charles Townsend, of the Treasury,' continues Mr. Hutchinson, called upon me before dinner. Such of Lyde's passengers' (from America) 'as had been to my house, upon their arrival, dined with me to-day, and Mr. T. Bernard, Miss Bernard, and Mr. Clarke.'

Mr. Charles Townshend (the name should be thus written) was a cousin of the Chancellor of the Exchequer whose new duties had caused such turmoil in America, and who had died soon after their promulgation; he was a son of an Hon. Thomas Townshend, and a Junior Lord of the Treasury.[2]

The exodus of loyalists from America was becoming a feature of the times. They can, indeed, scarcely be said to have had a choice between flying—either to England or Nova Scotia—or pledging themselves to support the insurgents. Many were compelled to renounce their all and fly from sheer terror for their families, if not for themselves; in fact, life under other circumstances became unbearable, and flight was not in all cases possible.

[1] Some particulars of Josiah Quincy may be found in Winsor's *Mem. Boston*, vol. iii., 'The Revolutionary Period,' ch. i. and iii., and 'The Last Hundred Years,' ch. ii.

[2] His eldest brother was created Viscount Sydney in 1789.

27th.—Went with Sir F. Bernard to the Temple Church, where Dr. Thurloe,[1] Master of the Temple, and brother to the Attorney-General, preached a good sermon—the subject the Prophecies—much in the manner and stile [*sic*] of the late Master, the Bishop of London.[2] . . . About 7 in the evening we went first to Lord Mansfield's, where we met with Mr. Justice Willes, Counsellor Wallis, Dr. Douglas, a canon of Winsor [*sic*], Sir Fletcher Norton, Mr. Adams, the architect, and others. From thence to Lord Chancellor,[3] where, besides most of the company which came from Lord Mansfield's, we found Lord Dartmouth, Mr. Stanley, Secretary to the Treasury, and divers other lords and gentlemen, and several principal lawyers.

Every Sunday evening the Ld. Chancellor and Ld. Chief Justice receive company in this manner. Each set tarries about a quarter of an hour, and then goes off, but makes it a rule not to leave the room quite empty, until it is so late as to be proper for all the company to quit. When I was in London formerly [in 1741] I observed this custom when people newly married received company in a forenoon.

The next day Mr. Hutchinson carried to Lord Hillsborough 'Sir F. B.'s Letters, and the Proceedings of the K. in Council upon my Letters and the Lt.-Governor's, which had been published by Mauduit, both of which he was glad of, because he was to move for an Address upon the King's Speech.'

A little later the writer remarks: 'No person has stood all changes for twenty years past so well as Lord Barrington, who is now Secretary at War.' Whether any satire was here intended I cannot say, but, on further acquaintance, Mr. Hutchinson evidently formed a favourable opinion of Lord Barrington.

30th.—In the morning with Sir F. B. I made a visit to Lord Barrington's in Cavendish Square, who received me with great

[1] The name of this divine, afterwards Bishop of Lincoln, and of his brother, the subsequent Lord Chancellor, was, I believe, always spelt Thurlow (Foss, *Lives of the Judges*; Abbey, *The English Church and its Bishops*).

[2] The Bishop of London was then Dr. Terrick, who had been Bishop of Peterborough (Abbey, *The English Church and its Bishops*).

[3] Henry Bathurst, Lord Apsley, afterwards Earl Bathurst (Foss, *Lives of the Judges*).

politeness, and kept me near an hour upon American affairs. He is of the moderate party, and I intirely agree with him in his plan of government of the colonies. He was very inquisitive upon many points of the present Constitution of Mass. Bay, and the practice upon them, and wished often to see me. He detained us so long that we had scarce time to dress to go to the House of Lords to hear the King's Speech. A card from Ld. Dartmouth shown to the Dep. Usher, Mr. Qualme [?], introduced me and my daughter and Sir F. B., Mr. and Mrs. Knox. As I had not been present on such an occasion when I was before in England, except once in a great crowd at the lower part of the House, and as I now stood near the throne to great advantage, and had a pretty good view of the King upon the throne, and the two Houses of Parliament, and saw the formality of the Speaker presenting himself, and heard his Speech, and the King's acceptance signified by the Chancellor, and then the Speech in return by the Speaker, and after that the King's Speech from the Throne to both Houses delivered with admirable propriety—upon the whole I have received greater pleasure than I have done from any other publick scene since I have been in England.

It is noticeable that there is no record of Sir Francis Bernard having attended any Court ceremonial. King George and Queen Charlotte held frequent afternoon receptions during a portion of the year. On these occasions they moved about and conversed; the rooms were seldom so crowded as to render it impossible for their Majesties to address all present. Governor Hutchinson was frequently present at these functions, sometimes with Peggy; he evidently enjoyed the notice of Royalty, and was especially proud when the Queen commended his daughter's appearance. Indeed, considering all that he had sacrificed for the King's sake, it was but fair that he should receive compensation in some shape. But he never mentions meeting Sir Francis Bernard, nor is there the slightest allusion in any letter that I have come across to the attendance of Sir Francis or Lady Bernard at Court, or of any of the family during their lifetime. This is not conclusive, by reason of the scantiness of the information; but it is tolerably clear that if Sir Francis went, it was very seldom; and I doubt if any of his children were presented before or after his death,

except his youngest son, who was led by circumstances into the political groove.

To revert to the 'Diary.' On December 1 Governor Hutchinson notes:

> Dined with [the] Lord Chancellor, his lady and daughter; the Attorney-General, Mr. Jackson and Sir F. B. made the company. Much dispute between the two lawyers, who differ much upon American measures. Jackson declares to [*sic*] the unlimited authority, and yet seems to be for receding from late measures; the Attorney-General the contrary, as to receding. Both blame Gage for not suppressing the late riots with his troops. Jackson at the close said he wished Adams, Hancock, &c., could be made examples of, or to that effect.

It was not merely the presence of the two Governors which gave rise to this conversation, though it may have tended to lengthen the discussion. American affairs had become an everyday topic; they increased in interest, but also in perplexity and urgency, with every mail. Mr. Jackson has already been mentioned in these pages, as a man of note, legally and politically.[1] The Adams who, in his opinion, deserved severe treatment was Samuel, who was following up his old policy in Boston, and was this year elected as delegate to the first 'Continental Congress,' held in Philadelphia. John was as yet only his lieutenant, and a very useful one; Hancock was always more showy than useful. Some observations of a British officer who joined his regiment in Boston this very year—Captain W. Glanville Evelyn—have been recorded, and are worthy of notice, having been made on the spot:

> He speaks [says Mr. Winsor] of Sam Adams 'as moving and directing this immense continent—a man of ordinary birth and desperate fortune, who, by his abilities and talent for factious intrigue, has made himself of some consequence; whose political existence depends upon the continuance of the present dispute, and who must sink into insignificancy and beggary the moment it ceases. . . . Hancock is a poor contemptible fool, led about by Adams.'[2]

[1] See ch. xvi. and xviii. of this volume.

[2] Winsor, *Mem. Hist. Boston*, note by the editor to 'The Beginning of the

The same writer calls the nationalists 'rascals and poltroons,' expressions quite easy to understand if it is considered that insults and injuries were during his stay constantly inflicted on the most respectable members of the community and the most defenceless.

The last entries in Governor Hutchinson's 'Diary' relating to Sir Francis Bernard's visit are the following:

2nd.—Dined at Lord Dartmouth's with my son E. and daughter, besides Mr. Keene and Lady, Sir F. B. and Colonel Dalrymple.

This, it may be presumed, was the Colonel Dalrymple, recently on uneasy terms with Governor Hutchinson, who had brought troops to Boston in 1768, and had then written slightingly of Governor Bernard. It is possible, indeed, that he had since altered his mind.

4th.—Sir F. Bernard set out at ten o'clock from my house to return home to Ailesbury [*sic*].

On the same day Governor Hutchinson wrote to Mr. Burch—probably the Commissioner of Customs often mentioned already:

Sir F. Bernard has obtained a pension of 800*£* a year for himself and 400*£* Lady Bernard [*sic*], and a place of better than 200*£* a year for his son Tom, all of which makes him happy, and, I think, more healthy. He has been with me as a lodger for 10 or 11 days in a house which I have taken three doors above Park Place, very pleasant and well furnished. We live in great friendship. My other predecessor [Governor Pownall] has been printing again, and given me two or three severe lashes. *Non scribit, cujus carmina nemo legit.* I am at the end of my paper.

Governor Pownall[1] was a man of some note, of varied information and acquirements, and also of advanced opinions. He became for a while a friend of John Adams,

Revolution,' vol. iii. ch. i. p. 56 (by the Rev. Edward G. Porter, pastor of the Hancock Church, Lexington). Mr. Winsor quotes from *Memoir and Letters of Captain W. Glanville Evelyn, of the Fourth Regiment (King's Own)*, printed in 1879 at Oxford, edited by G. D. Scull.

[1] A short notice of Governor Thomas Pownall will be found in Rees's *Cyclopædia*. He is eulogistically mentioned in Winsor's *Mem. Hist. Boston* and many other American books.

but his views eventually underwent considerable modification.

I do not know whether Mr. Hutchinson's account of the pensions to Sir Francis and Lady Bernard is strictly accurate, or was written down hastily from recollection. Probably the pension to Lady Bernard was not payable till she became a widow—that is, when the 800*l.* ceased. It would seem, however, that this last amount was subsequently augmented by another pension of 600*l.* per annum to Sir Francis: at what date I cannot say. The fact is noted in some memoranda[1] of the ex-Governor's property at the time of his death. This would make the total 1,400*l.*, and must be the sum intended by Thomas Bernard when he wrote that, on his father's resignation of his post in Ireland, 'his former pension was restored to him, which some time afterwards, at the instance of Lord North, was increased to the extent of the assurances which he had received before he quitted his Government.'[2] The original promise was, that he should receive an income equal to the sum he annually obtained as Governor. This had, indeed, never reached 1,400*l.*, the amount at which it seems to have been officially reckoned, and had sometimes fallen below 1,000*l.*, owing to the upsetting measures of the British Government, which in every way pressed hardly on Sir Francis.[3] The new grant, therefore, was a bare measure of justice, and, unfortunately, came too late to effect any permanent improvement in his health. Moreover, had he been otherwise a totally destitute man, he could not have lived upon it, because of the delays in payment. When he died, one pension was six quarters, the other seven, in arrears.[4] These delays, with possible deductions, and the difficulties he had experienced before the grants were made, explain the mention of several charges on his property in the above-mentioned memoranda.

[1] MS. at Nether Winchendon, from Collinson papers.

[2] *Life of Sir Francis Bernard.* [3] *Ibid.*

[4] MS. at Nether Winchendon giving particulars of Sir Francis Bernard's estate.

assumed, it was to take effect only in case of survivorship—no payment was ever made, but the promise, of course, helped to tranquillise her husband's mind. She was certainly entitled to some consideration for the loyalty h which she had stood by his side throughout those d ing years in Massachusetts, which had ruined her h ch well as his. When recording her death, a few y s her daughter Julia writes: 'She had long been sub t returns of nervous fever—spring and summer.' [1]

[1] In her 'Reminiscences.'

CHAPTER XXVIII

THE SONS AND DAUGHTERS OF SIR FRANCIS BERNARD

John Bernard supposed to be Settled in America—Thomas resolves on reading for the Bar—William and Scrope sent to Harrow—Jane Bernard Marries Charles White—Amelia, the Second Daughter—Frances Elizabeth—Her Self-Reliance—She becomes an Author—Her Strictures on London and its Follies—Julia—The 'Boston Port Bill'—Its Effect on John Bernard's Prospects—Return of Sir Francis from London to Aylesbury—American Loyalists in Aylesbury—Visit to Stowe—Billy or William Bernard—Scrope Bernard enters Christ Church—Drowning of William.

ONE of the most pressing cares of Sir Francis and Lady Bernard, on reaching England, must have been to provide for the future of their children in the altered circumstances of their lives. They were now eight in number, and of ages varying, in 1770, from twenty-five to eleven.

John, the eldest surviving son, was supposed to be settled in America; it will by degrees appear more and more how little any American prospect could be trusted.

For Thomas, who had attained his twentieth birthday in the April of that year, and had long been his father's amanuensis and confidential secretary, Sir Francis hoped to obtain a Government appointment, for which line he was well fitted by his previous training. But time wore on, and Thomas seemed to be forgotten. As year succeeded year he keenly realised the humiliation of this position, which threatened injury to his character and ruin to any career he might have desired. Therefore 'he determined,' says his biographer, 'to pursue a more independent line of life'[1]—in other words, he resolved on reading for the Bar.

This scheme did not meet with the approbation of Sir Francis. He was, perhaps for the only time in his life,

[1] Baker (Rev. James), *Life of Sir Thomas Bernard.*

seriously displeased with Thomas; and it must be admitted that there was something to be said for his side of the question. Thomas Bernard had been thrown altogether out of the regular groove; he had been educated in a colony, and had quitted the colonial college at the age of sixteen. Moreover, he suffered from an impediment in his speech, which all his efforts never enabled him entirely to overcome. And the time which must necessarily before he could earn any money, even if favour by circumstances, and the expenses which must be incurr were formidable objections.

Sir Francis told his grief to Lord Barrington,[1] who, on learning its cause, congratulated him 'on having a son of so independent a spirit,' and promised to assist, so far as could, in reconciling the two opposed views of the ques Through his influence, Thomas eventually obtain the appointment, already mentioned, of Commissary of Mu the value being about 200*l.* a year, and the amount of wo so small as not to interfere with his professional stu The young man thus escaped being a burden to h He had not allowed himself to be injured by the ord a long period of comparative inaction; indeed it is pro from the nature of his ultimate pursuits, that he had turn it to useful account by inquiring into the hindra various conditions of life, and especially into the suffe of the submerged portion of humanity. He now set to t work of learning his profession in right earnest, cho as his line conveyancing, by which means he avo obstacle presented by his imperfect utterance.

The two younger sons, William and Scrope, who arri in England with their mother early in 1771, were, as a noticed, sent to Harrow.[2] Whether the repute of the s at that moment decided this choice, or the fact that it some miles on the way to Winchendon from London had some influence, does not appear. William attained the fifteen in May 1771, and it may be assumed that h

[1] Baker (Rev. James), *Life of Sir Thomas Bernard.*

[2] This appears from various letters at Nether Winchendon.

tion had progressed sufficiently to admit of his taking a fair place on his entrance into the school. Scrope was not twelve till the October of the same year. The date of admission in either case I do not know.

I have heard my father say that when his father, Scrope Bernard, first came to London he saw the heads of the Jacobite leaders spiked on Temple Bar. The sight had evidently made a lasting impression, since he spoke of it to his children. And no wonder! According to Timbs,[1] only two heads then remained, and in March 1772, not long after Scrope had been an amazed spectator of this phase of English civilisation, one head fell down, probably from decay, and the other was a little later swept away by the wind.

Jane Bernard, the eldest daughter of the family, married on December 22, 1774,[2] Charles White, a barrister practising at Lincoln, who was in all likelihood the son of the Mrs. White commemorated in Mrs. Beresford's cookery-book, and consequently a friend of that lady. The son had probably known Jane from her childhood, but the decisive impression may have been made during her stay in Lincoln at the time of Mrs. Beresford's last illness. Whether, as previously suggested, there was any family connection with Bishop White or Sir Thomas White I know not; but the Whites appear to have held a good position in Lincoln, and the suitor had probably succeeded to Sir Francis Bernard's business. He was not young—about forty-six—whereas Jane was twenty-eight; but the difference was not sufficient to affect their happiness.

I was once told by an uncle that Sir John Vanhattem had been an admirer of Jane Bernard, and had commissioned his brother-in-law—apparently Dr. Bates, of Aylesbury, is intended—to open the negotiation with Sir Francis. The Doctor, however, kept silence, for reasons best known to

[1] Timbs, *The Romance of London*, 'Human Heads on Temple Bar.' The two heads remaining in 1771 are said by this writer to have been those of Townley and Fletcher. These details now sound almost incredible, but I give them as I found them in Mr. Timbs's book.

[2] The date was given me in Miss Collinson's list.

himself; and Sir John took the matter quietly, until one he met a nurse and baby on the road near H and discovered, on inquiry, that the child belonged to White, Sir Francis Bernard's daughter, when, has to Aylesbury, he reprimanded Dr. Bates severely. It a pears by the county history, however, that Dr. Bates then residing some miles from Aylesbury—which is not fatal objection to the story; yet I should be sorry to for its accuracy, by reason of the long interval which have elapsed. It will appear, that no child of Mrs. Wl can have been in Aylesbury before 1778.

Jane may have been the Miss Bernard mentio Governor Hutchinson as dining with her brother at his house in November 1774,[1] at which time s we be busy over the purchase of her trousseau.

Amelia, familiarly called Emily, the second daughter the family, who attained her twentieth birthday in th September of the same year, seems to have been of a mor sedate nature than her sisters, which may be part accounted for by her early initiation into practical matter but not entirely.

Frances Elizabeth, the third daughter, known amo her friends as Fanny, was a remarkable girl, and deserves lengthened notice. Her training in good works un sister Jane at Winchendon was continued when both resumed their places under the parental roof. The a of a short memoir of Fanny speaks of her, during residence in Aylesbury, as 'taking her share in that benev lent attention to the wants of the surrounding poor wh was a prominent trait in the character of the whole of Francis Bernard's family.'[2]

The complete separation of Fanny from all her relatives, save one, for eleven years of her early life, evidently rendered her somewhat independent in her

[1] Hutchinson (Governor), *Diary and Letters*, vol. i. ch. vi.

[2] 'Memoir of the Author,' prefixed to the later editions of Fanny's *Female Scripture Characters*. She was then Mrs. King.

This characteristic displays itself in her letters, notwithstanding her affection for her parents, brothers, and sisters. Something of the same spirit appears in Jane, in a less marked degree. She was a more disciplined character. Fanny had evidently been the spoiled child of Winchendon. It is curious that these self-reliant girls should have been reared in the quiet Buckinghamshire village, not brought, like their sisters, into contact with American aspirations and revolutionary scenes. Apparently the marriage of Jane must have left Fanny lonely at heart; but hers was not a disposition likely to encourage sad thoughts, and the strong attachment she had already formed for her newly found sister, Julia, kept up her naturally buoyant spirits.

Shortly before Jane's marriage, in 1774, Fanny, then aged seventeen, wrote a tale called 'The Rector's Memorandum Book,' which, though it may not be distinguished for artistic treatment of its subject, shows a certain amount of skill in composition and ideas decidedly in advance of her age. The novelists of that time, revolting against its hard materialism, were in the habit of depicting melancholy heroines suffering from over-developed sensitiveness, to whom love appeared to be the principal business of life, and who generally sank under complicated trials, dying either of consumption or of broken hearts. Fanny undertook to reform the age, and wrote her tale as an antidote to this morbid tendency.

Caroline Fielding, the heroine of 'The Rector's Memorandum Book,' in her youth so thoroughly instructs the children of her village that 'there was not a child above eight years old that could not read in the Testament.' But, in order to carry out the purpose of the narrative, she is not allowed to pursue her course of well-doing undisturbed. Her father loses his wealth; she is parted by circumstances from the man she could have loved, and in fact did love, and is tormented by her family into marrying a middle-aged widower with money, who is then induced by her own sister to look upon her conduct with suspicion, and treats her harshly. But she rises superior to her

misfortunes, lives down calumny by a long course of devotion to duty, and, while thus becoming a model of domestic excellence, also recommences her charitable labours on a large scale.

She saw old age and sickness rendered comfortable by the neatness of her cottages, the clothing and food she distributed, and the consolation and instruction she dispensed; and she saw the healthy and industrious stimulated in their exertions by the assistance and encouragement she gave. She lived to rear from her school a race of excellent and useful members of society, to furnish a supply of valuable servants, and to train (what country villages deplore the want of) religious and conscientious schoolmistresses. She saw a tribe of healthy, rosy children saved from an untimely grave by her care and attention during their in in short, she lived to see her family, her friends, and l ne bourhood, blessed in every way by her care, her exertion, her benevolence, and her industry.[1]

Caroline is prevented by her husband from nursing the poor during an outbreak of putrid fever; but the l nurse she had previously supplied proves invaluable. and she provides the sufferers with every comfort. Finally, the exemplary woman succumbs to the effects of her devote attendance at the sick-bed of a stepdaughter.

It is probable that this tale was written during a vis to Mrs. Edmunds at Worsborough, in Yorkshire, at t time she must have been introduced to the family a at Tyers Hill—whose name seems to have been P country house in the same neighbourhood. From a subsquent letter it appears that the scene of her tale was there, and that one of the characters was taken from member of the family; but the incidents were, no doubt mostly invented and combined to point the moral. T story was not then published, either from want of encou ment and pecuniary aid, or from her own diffidence her powers; but change of circumstances and ideas its publication many years later.

Apparently Mrs. Edmunds was at this time in

[1] *The Rector's Memorandum Book.*

trouble, since Fanny wrote some verses addressed, 'To my Cousin, Friend, and Benefactor, Mrs. Edmunds, while Asleep, July 10, 1775,' in which she alludes to her cousin's 'harassed mind' and 'wearied course on earth.' A move from the house of anxious and invalid parents to the residence of a sorrowing friend was scarcely a refreshing change, but Fanny fortunately possessed a store of cheerfulness sufficient for all emergencies.

It may be inferred from some passages in her book that the young lady had already paid visits to London, and had seen reason to rejoice that she was not tied to it. Probably she had gone with a view of supplementing her limited education, and perhaps to the finishing school at Kensington of which her sister Julia wrote in several letters; but she seems also to have been afforded a passing insight into the so-called gaieties of the capital, and such frivolity was not to her taste. Emma, the secondary heroine of her tale, goes through a series of experiences which are likely to have been drawn from life, and more or less from Fanny's own trials. The following extract is taken from this narrative:

> Notwithstanding Emma's disinclination to the southern journey, she became enraptured with the splendour and novelty which burst upon her on her arrival in the Metropolis, and she expressed the most lively admiration and delight in everything that surrounded her.
>
> Habit for a while resisted the change of hours; she for a time bitterly complained of being starved before dinner and asleep before supper, and that the time of retiring to dress for the evening amusement was nearly that on which she formerly went to rest. She was at first so assailed by the drowsiness natural to the hour that she declared she would rather undress and go to bed than new dress herself and go out; and it is positively asserted that in an absent fit she really did completely disrobe, and was found by the maid, who usually attended her, in bed in a sound sleep, in which she was left undisturbed for the night.
>
> She was, however, soon reconciled to scenes and pleasures so congenial to her buoyant spirits, and she broke very kindly into the trammels of fashion, verifying the old proverb that 'Pride and vanity feel no pain.' Her beautiful silken hair, which had hitherto wandered in wild ringlets about her face and neck, was

now tortured into a fabric like a haystack, termed a *tupee*, with marechal powder and plastered with *pomade de mille* worked into the hair like a mortar, and the whole dusted puff, that enveloped her like a cloud. The fresh and rosy which had hitherto seemed clear and healthy, now bore appearance of disease, being patched at certain distances black patches, as if full of pimples. Formerly her limbs sported light and gay, without weight or encumbrance; were encircled, from her waist to her feet, with hoops of whalebone, like a great tub; and she was laced up in so tight that she could at first scarcely breathe.

Many prudent restraints, however, were laid upon her kind maternal friend, and she was allowed to discover what sense always develops—the folly, pain, vexation, and disa ment that always pursue what are called worldly p people of real piety seldom engage in them, and people of sooner or later, always shrink from them.[1]

The London mode of spending Sunday strong animadversion from this country girl, who had over, seen something of Presbyterian, or semi-Pre Sundays in Yorkshire, and perhaps Derbyshire. of London, she says:

There it seemed equally a day of business and d any other day in the week; the shops, indeed, and pu were shut, but little appearance of seriousness or dev substituted in their place. Indeed, from the crowds in the the multitudes in the public gardens and parks, and the vehicles conveying all ranks of people on what is called 'j of pleasure' into the country, it did not seem that the da have been more profaned had it been spent in the shop theatre. And the command which ordains it to be a day equally for the brute creation is so completely outraged, t the poor carriage horses of every description in London it is of more than usual labour and fatigue.

But the writer admits that many of the object features of London life were copied in the country.

The inhabitants of the Metropolis are mistaken if the rage for fashion confined only to the air of St. Ja

[1] *The Rector's Memorandum Book.*

will grant them the first edition of everything polite and elegant; but after a reign of decent length amongst the select circles of the *ton* they certainly do travel down to every market town of eminence, and, according to the opulence and number of its inhabitants, in such proportion they assert their sway. The circles of fashion are, indeed, like the circles on the surface of the stream—the further they are removed from their centre the more they lose their strength and essence.

The polite circles in London, amongst many other schemes for killing time, have established *routs*, or assemblies,[1] where those who have no better pursuits meet for the purpose of gaming and small talk; and this fashionable amusement, amongst many others, has found its way into the country, for in every town where there are genteel people enough to make a rout they have their routs. They, perhaps, fall proportionately short of the standard of the Metropolis; they play for a smaller stake, have fewer topics to canvass, and retail news and scandal of less honourable personages; but, nevertheless, they have their card-parties, their news, and their scandal.

Fanny would have endorsed the advice of her father's old opponent, John Adams, then in Paris and moving in the brilliant society of the capital, who wrote to his daughter in strong terms of the universal rage for cards, and the terrible waste of time which it entailed.

The young author believed in the higher education of women, as a means of correcting the childishness and frivolity which distressed her in her own sex. She writes:

The valuable purpose of learning is to rouse the mind above trifling objects. It is hardly possible that a woman whose mind is stored with ancient traditions, who has studied the lives of martyrs, heroes, generals, and statesmen, has contemplated the rise and fall of empires, informed herself of the customs, laws, and manners of successive generations and distant countries, and comprehends as within a focus hundreds and thousands of years, can fret over the passing, unimportant occurrences of the hour. To a well-read woman the breaking of a piece of china, or a derangement or disappointment in dress or company, would be 'trifles light as air.' I believe the principal reason why men are more superior to the petty vexations of life than women is that

[1] A note, written apparently later, says: 'Now called "Opening their Houses" or "Being at Home."'

... hardships on certain loyalists, who were ... distressed and suffering.

'The [illegible] measure [writes Hosmer] was the Boston ... which passed about the end of March, in spite of the ... opposition of the friends of America, and against the ... judgment of Hutchinson and some of the wiser Tories. By ... all ships were forbidden to enter or depart from the ... Boston until the contumacious town should agree to pay ... destroyed tea, and in other respects make the King sure of ... willingness to submit.'[1]

This order, which reached Boston on May 10, 1774, and came into operation on June 1, did at first cause some of the impracticable party to quail; and Franklin wrote from England advising compensation to the East India Company. But the Bostonians, led by Samuel Adams, held fast to their resolutions. Most of the other colonies made common cause with Massachusetts, and the 'Solemn League and Covenant' for non-importation, grew into a formidable combination. Preparations were made for an American Congress. Meanwhile Gage prorogued the Assembly and continued to fortify Boston.

In August came the news of an Act of Parliament making sundry alterations in the charter of the province such as had long been suggested. They came too late to effect anything but an increase of agitation. Other Acts were passed, for the protection of magistrates, revenue officers and soldiers, who, if accused of violence, were to be sent to England for trial; for legalising 'the quartering of troops within the town of Boston'; and for the settling of Canada, in which a considerable extension of its territory was announced, as well as the introduction of a strictly monarchical government. All of these Massachusetts held to be subversive of its charter.

Few persons probably suffered more at this period than John Bernard, whose post as Naval Officer to the Port and business as a merchant were both annihilated.

[1] Sparks, *Hist. U.S.*, Epoch ii. ch. xxxvi. Hosmer, *Samuel Adams* ... 'Hutchinson and the Tories.'

About this time there was an idea that Scrope might pay a visit to France. Fanny was anxious to accompany him; but Lady Bernard entirely disapproved that project, and sent Emily to remonstrate with her sister; so Fanny had to give way, and many years elapsed before she crossed the Channel. Whether Scrope travelled at this time does not appear.

The improvement in Sir Francis Bernard's health was not lasting. He was, indeed, never free from care; and Lady Bernard probably suffered as much, mentally and physically, although she appears to have kept her own feelings very much to herself.

On December 31, 1774, I find the following entry in Governor Hutchinson's Diary: 'Mr. Bridges, T. Bernard, and Vassal dined with us.'[1] On January 3, 1775:

> Mr. Lane and son, Mr. Watson, wife, sister and partner, and a young Canadian in his family, and Mr. Jon. [?] Bernard and Mr. Vassall all dined with me. In the evening Mr. Mauduit joined. Three gentlemen from New England—Ingersoll, Bliss, and Blowers—came to my house in the evening with a great number of letters and papers from my friends.[2]

These three gentlemen were all persons of importance, as appears by the biographies of loyalists given by Sabine and Ward.[3] Ingersoll was a native of Connecticut; the other two belonged to Massachusetts. And there can be no doubt that the 'Jon. Bernard' here mentioned was John, the son of Sir Francis, who, with many loyalists, had been driven out of Boston, it may be said, by the combined measures of the British Government and the American Opposition. In return for the insult and injury inflicted on the occasion of 'the Boston Tea-party,' Parliament had passed four Bills of some severity, intending to strike terror into the refractory people, of Massachusetts especially. But one of these Bills

[1] Hutchinson, *Diary and Letters*, vol. i. ch. vi.

[2] *Ibid.* vii.

[3] Sabine, *The American Loyalists*, and Ward (George Atkinson), Biographies of many American Loyalists and other Eminent Persons' (bound with the *Journal and Letters of Samuel Curwen*).

inflicted great hardships on certain loyalists, who w already oppressed and suffering.

The first retaliatory measure [writes Hosmer] was the B Port Bill, which passed about the end of March, in spite of strenuous opposition of the friends of America, and against best judgment of Hutchinson and some of the wiser Tories. the Port Bill all ships were forbidden to enter or depart from Port of Boston until the contumacious town should agree to p for the destroyed tea, and in other respects make the King sure its willingness to submit.[1]

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[1] Bancroft, *Hist. U.S.*, Epoch ii. ch. xxxvi.; Hosmer, *Samuel* ch. xvii., 'Hutchinson and the Tories.'

while he was, no doubt, an object of popular indignation. I have no particulars of his hardships and perils; it is quite likely that he and others had to seek refuge in the Castle, or to hide where they best could; but I only know that John escaped to England, whither the loyalists were fast flocking, most of them in a comparatively destitute state. There the refugees, of course, made their wrongs known, but found no redress. The closing of the port was supposed to be a temporary measure; but in the spring of 1775 riot became definitively revolution; the war between England and her colonies broke out at Boston, at first on a very small scale, but gradually acquiring larger proportions.

The following entry in Governor Hutchinson's 'Diary' for that year may refer to a journey, which the anxious father undertook on behalf of his son, at the end of January:

> 31st.—Sir Francis Bernard came to town and took his lodgings with me. Extream high [?] west wind to-day.
>
> 3rd [that is of February].—With Sir F. B. to Lord Temple's, but did not see him.[1]

In May there is frequent mention of Sir Francis. He 'came to us from Ailesbury,'[2] notes Mr. Hutchinson on the 1st, and, the next day, 'T. Bernard and young Pownall dined with us.' Sir Francis apparently went out of town for a few days, in what direction is not stated, and returned on the 8th: but if he resided once more in Mr. Hutchinson's house, he was out most of the day, since it is not till the 12th that his friend notes:

> T. Bernard dined with us, and Sir F. Dr. Hind, Secry. to the Society, &c., called to see Sir F. B. and drank coffee. Mauduit in the evening brought the resolves of the Virginia Congress, who have established a Convention instead of the Assembly.

The next day the two Governors went to Kensington 'in the coach,' with what purpose is not mentioned. And then,

[1] Hutchinson, *Diary and Letters*, vol. i. ch. vii. [2] *Ibid.* viii.

'Livius, Blowers, Ingersoll, Oliver, and Billy Bernard with Sir F., dined with us.' This was a decidedly American party.

The 14th was a Sunday. Sir Francis made a point of attending the Temple Church while in London; as before. 'Dr. Thurloe[1] preached.'

On the 18th,

> Sr. F. B. and I dined very genteelly with Mr. Blackborne, one of Sir F——'s cotemporaries at the Temple, now Judge of the Marshalsea Court, who has a good house in Margt Street, Cavendish Square and a large fortune, and what is more, a man of learning, as well as natural good sense.

On the 20th 'Mr. Livius and Miss Julia Bernard dine with us.' Julia, whose name appears for the first time in the Hutchinson 'Diary,' has chronicled this dinner in a letter to her brother Scrope at Harrow, but without giving particulars. She was then staying at Kensington with a family named Jacquemin. From other letters, as well as from Julia's 'Reminiscences,' it would seem that Mrs. Jacquemin kept a school, which was no doubt strictly a finishing one. She appears to have gone there soon after her eldest sister's marriage, and possibly as a parlour-boarder, since she speaks of herself apart from 'the young ladies.' Livius,[2] whom she was privileged to meet, was a man of some distinction in New Hampshire, and a staunch Loyalist; he had come to England to expose the abuses committed by the nationalists, but in vain. Through the influence of a party which admired his conduct he became Chief Justice of his province; but the Bute Ministry, to prevent friction with Governor Wentworth, who had embraced popular views, soon transferred him to Quebec.

On the 21st, another Sunday:

[1] Brother of the then Attorney-General, afterwards Lord Thurlow. Dr. Thurlow (for so the name is rightly spelt) was then Master of the Temple, afterwards Dean of St. Paul's, Bishop successively of Lincoln and Durham.

[2] Sabine, *The American Loyalists*, article 'Livius.'

At the Temple Church with Sr F. B. Doctor Porteous,[1] one of the K.'s chaplains, preached a much applauded sermon from James, of offending in one point and being guilty of all. Great part of his discourse was pointed at Lord Chesterfield's Letters to his Son, which encourage him to dissimulation, debauchery, &c., and I suppose to be the same sermon he preached six or eight weeks before at the K.'s chapel, which was then well spoken of.

Dined with Mr. Pownall at Vanbrugh Fields. Sr F. B., Mauduit, and a Mr. Hagan, neighbour to Mr. P., and Peggy. In the evening at the Conversation: the Bishops of Bath and Wells, Lichfield; Deans of Salisbury and Glocester [although it was Sunday], Hawkins, Browne, Mauduit, &c.

At this time there were two elephants kept in a stable some little distance behind Buckingham House (now Buckingham Palace), and called the Queen's elephants; they were objects of wonder to the English people. Mr. Hutchinson, who had already seen them, took his friend, and says: 'He thanked me for urging him to go, as he found himself under great surprise at the first sight of them, and his curiosity was much gratified.'

On the following day, Tuesday, May 23, Sir Francis returned to Aylesbury,[2] taking with him his daughter Julia, who relates that her pleasure in revisiting her home was marred by finding 'Mama very indifferent'; Emily, however, was better, and Fanny, 'quite another being, can walk eight times round the garden.'[3] This prevalence of bad health was perhaps attributable to influenza, which is mentioned in Hutchinson's 'Diary' as an epidemic.

It will be observed that John Bernard is not mentioned in the last entries of the 'Diary.' He may have left London to visit his sister at Lincoln, and other friends in the same direction; but his name does not appear in the few letters I possess of this year (1775), and I infer that he must have quitted England for America before its close. It would be at this time that Sir Francis advanced him 1,000*l.*, which he

[1] Evidently the Rev. Beilby Porteous, who became Bishop of Chester in the following year, and afterwards Bishop of London: *Biographie Universelle*, 'Porteous (Beilby).'

[2] Hutchinson, *Diary and Letters.* [3] MS. letter at Nether Winchendon

afterwards gave him by will.[1] Probably his destination was not Boston, then in a state of blockade, but Salem, where it was possible to land; from there he may have made his way northwards, intending to fix his headquarters in or near Mount Desert, and to employ himself in developing the resources of his father's lands.

In July Sir Francis and Lady Bernard, with their daughter Emily, were in London, lodging near the Temple, in Salisbury Court, Dorset Street;[2] but when Governor Hutchinson called on the 13th, he found that Sir Francis had been seized with an epileptic fit, from which, indeed, he quickly recovered, and, with Lady Bernard, dined on the 17th at his friend's house, to meet Dr. Chandler and Mr. Pownall, junior. 'In the evening at Mr. Jo. Greene's. The critical state of our friends at Boston fills us with anxiety. Sir F. B., &c., went to the play, but I did not.' So writes Governor Hutchinson. On this occasion it seems to have been arranged that he should pay Governor Bernard another visit at Aylesbury, perhaps in the hope that change of scene might, to some extent, divert his mind from sad thoughts. He travelled on August 7.

Set out about 9 with my daughter in the coach for Aylesbury. Reached Berkhamsted about ½ after two, and dined at the inn. Sir F. B. and Lady and two children came in soon after and dined with Dr Jefferds, the Rector, brother to the Commissioner of the Customs. We drank tea at the Rectory House very pleasantly situated, and reached Aylesbury before nine in the evening.

The rector's name was really Jefferies; he is mentioned in Fanny Bernard's letters as visiting at the Prebendal House, and his peculiarities sometimes afforded play to her harmless love of fun. As regarded Mr. Hutchinson, the details of the third visit to Bucks read in many respects like a repetition of the first two.

[1] Draft of will at Nether Winchendon.

[2] *London and its Environs Described* (printed for Dodsley in 1761), vol. v. Letter E.—'Salisbury Court, Dorset Street, Fleet Street, so called from the Bishop of Salisbury's city mansion there, afterwards the Earl of Dorset's.'

8th.—Made a visit to S^r^ Wm. Lee, who was abroad. In the evening he and Lady Elizabeth came to see us. I rode on horseback through Stone to ——'s Castle [Note.—'Blotted out and obliterated.' Of course 'Vanhattem's Castle' must be meant, for the writer adds], about 4 miles. Have not been on horseback before since last September, when I was last at Aylesbury. Mr. Amory and wife, Quincy, Greene, Sears, and Callahan[1] and wife came from Bristol, &c., and lodged at Aylesbury. Quincy came in the evening to Sir Francis Bernard's.

This was not the author of the treasonable book, but his brother, the loyal Samuel Quincy, once Solicitor-General of Massachusetts. All the party were American refugees; Greene, if he was the Joseph Greene already mentioned, was 'a wit and a poet,' and also 'a fine classical scholar.'

9th.—Rode before breakfast to Wendover (5 miles), which lies at the bottom of the Chiltern Hills. Gentle rain soon after I set out; none the two days before. We dined at Berkhamstead at Mr. Noyes's, a gentleman of estate, and a friend of Sir F. B.; a clergyman, Mr. Bland, and a son of Colonel Peachell, and Bland's daughter, with Lady, Mrs. and Scroop Bernard, besides Sir F. Returned to Aylesbury in the evening.

No son of Sir Francis was then married; 'Mrs.' must therefore mean 'Miss' or 'Misses.' Julia Bernard had become a special favourite of the Noyes family, and spent much of her time with its members; but I gather from a letter that she was not present on this occasion. Emily or Fanny, or perhaps both, must be intended.

10th.—Dined at S^r^ Wm. Lee's. Conversation turned upon America. He says a Revolution is coming on in England; is much attached to the Grenville interest, and seems not well satisfied with the . . . himself. [Note: 'Blotted out and obliterated.'] In every other respect amiable. His lady is a daughter of Lord Harcourt, Ld. Lt. of Ireland, &c.

Mr. P. O. Hutchinson, the editor of his great-grandfather's 'Diary,' remarks that, whatever differences of opinion

[1] All these gentlemen are noticed by Sabine. Two of them—Quincy and Greene—by Ward also.

might exist respecting the American war, two questions called for a practical solution: 'The relief of Boston, now closely blockaded and in danger of assault . . ., and the relief of the beleaguered inhabitants. . . .' These two questions were indeed, very intimately connected. Governor Hutchinson, part of whose family was still in the town, wrote to 'the then acting Lieutenant-Governor': 'I am under continued distress for the state of my children and friends, and cannot enlarge or write anything upon such a subject without pain.' Sir Francis must have been anxious about his eldest son, though he is not likely to have been in Boston: and he no doubt had friends shut up in the blockaded town.

On the 11th Sir Francis and Lady Bernard took guests to Stowe, the mansion of Earl Temple, elder brother of George Grenville, the former Minister; they drove through Hardwick, Whitchurch, Winslow, and Buckingham, 'which is the shire town, but not so much larger as Winslow as I expected,' writes Governor Hutchinson. When the party reached Stowe

> The rain hindered any view of the gardens until five o'clock, at which we went about half through, and then drank tea with and Lady Temple, who pressed our lodging there, and Lady was so polite as to go through the several apartments. The ho is now repairing, but is the most magnificent of any I have s in England. We lodged, Sir F. B. refusing Lord Temple's at a villainous inn.

Mr. Hutchinson was perhaps a little vexed with Francis on this occasion; the motive of the refusal now be ascertained, but the result was no doubt provo Possibly Sir Francis had no great liking for Lord Te His Lordship was a prominent statesman, and had be Privy Seal; a nobleman of grand ideas, who had enlar

[1] These particulars are from letters and notes in *The Grenville Pap* Burke's and Debrett's *Peerages*, Lipscomb's *Bucks*, &c. Mr. Smith, th Librarian and Editor of *The Grenville Papers*, has prefaced the third by a long and interesting essay in support of the theory that Lord T 'Junius.'

and beautified Stowe, but he was also a most intimate and affectionate friend of Wilkes, supposed to be a contributor to the 'North Briton,' and even to the notorious number '45.' His letters to Wilkes are in a somewhat Wilkesian strain; and he has incurred the suspicion of being 'Junius.' Lady Temple was a daughter and coheir of Mr. Chambers of Hanworth, Middlesex, brought up by her maternal aunt, Lady Betty Germaine. She was a lady of fashion, but of an independent disposition, and one who loved to see every phase of life; also a writer of poems, 'some of which,' says the editor of the 'Grenville Papers,' who lived in more fastidious times, 'I cannot venture to quote.' Lord and Lady Temple were childless, but apparently an attached couple.

On the following morning the party from the Prebendal House went over the remainder of the gardens, and 'returned to Aylesbury before three.'

The next day (Sunday) the entry in the 'Diary' is:

> 13th.—Mr. Stocking, the curate, lecturer, and schoolmaster, preached in the morning, a stranger in the afternoon. My daughter and I, and Miss Fanny B., drank tea with Sir W. Lee and Lady.

The vicar of Aylesbury was the Rev. Thomas Lloyd, of Magdalen Hall, Oxford. Why he did not officiate during Mr. Hutchinson's visits I cannot explain. The curate's name should be written 'Stockins.'

The Governor and his daughter left Aylesbury on Monday, August 14, and went on, through Tring and Dunstable, to Wrest, the seat of Lord Hardwicke.

There is a melancholy interest for the descendants of Sir Francis Bernard in a short entry made by Mr. Hutchinson on September 12: 'Billy Bernard and Silvester [Oliver] dined with us.'

Billy, or William, Bernard had probably obtained, or was about to obtain, a commission in a regiment which was intended for Canada. Its destination may or may not have been publicly known at that time, since it was not till the

following February that the Hon. Richard St. John wrote to Scrope Bernard: 'I received your letter this morning, and am very sorry to hear that William is going; for if it is the same brother, he was once my most intimate and best friend'[1]—that is, probably, at Harrow.

Julia Bernard was still at Kensington later in the year, and wrote to Scrope:

> I begin to count the weeks to Christmas—I think there are but six to the holidays—when I promise myself a great deal of pleasure in our meeting after so long an absence as a year, but I [am] much mortified to find that your stay at Aylesbury will be shortened by your being obliged to go to Oxford, but we must make the most of that time, and enjoy the company of our Berkhamstead friends.[2]

The Noyes family is here meant; some of its members were evidently invited to the Prebendal House.

> Perhaps you will be surprised to hear that I was at the play on Tuesday night; there was a small party going from hence, and I was very obligingly offered a place; you may imagine I was highly entertained, as it was the first time. The elegance of the Theatre surpassed my expectations; the play was 'Richard the 3rd,' very well performed.
>
> I hear the violins below, and must be obliged to bid you adieu for the present. . . .

It appears singular that Julia should not have seen her brother for a year; but the vacations of public and private schools did not probably correspond better in those days than since, and as the young people of the Bernard family often paid visits to friends, the lengthened separation might be easily brought about.

The visit of Scrope Bernard to Oxford after Christmas resulted in his entering Christ Church as a student. I have no particulars of the event save those given by his father. Shortly after this commencement of his university career Sir Francis wrote him the following letter of advice, one of

[1] MS. letter at Nether Winchendon. [2] *Ibid.*

the only two letters in the ex-Governor's handwriting which I possess:

Aylesbury: March 8th, 1776.

Dr. Scrope,—The letter I received from Dr. Bentham by Tom gave me pleasure, as it contained an account of you very agreeable as it came from one of your governors and benefactors. As an encouragement to you to continue the same commendable conduct, I send you an extract of what he says of you, together with my answer, wherein is a promise which I must depend [*sic*] you to make good.

I am [glad] to hear that you are satisfied with your chambers, and that you expect soon to get better, which last consideration should induce you to lay out as little money as possible on these, as your stay in them is like to be so short.

I read t'other day in the Journal an advertisement of the experimental Philosophy lectures being soon to begin, which I would by no means have you neglect, as you will find in that branch of science so much amusement that it will prove rather a matter of diversion than of study.

However, some preparatory studies will be necessary, which you must desire Mr. Randolph to direct and assist you in. I must in general recommend to you the pursuit of mathematical knowledge, which you will find useful to you in every stage of life as well as entertaining at present. I was very desirous of giving your brother, who is gone to America, a taste of this science before he went. But I was disappointed in this purpose and I must submit.

The brother here mentioned must be William, who had just embarked for Canada. Sir Francis continues:

I suppose as Easter draws near you will be looking towards home for that season; you will let me know what time will best suit your engagements at College before that time. We are going to town in a few days to attend my Bill for enclosing Netlam, and shall be out above a fortnight. If you want to write to me there, direct to the Adelphi coffee-house near the Strand. I shan't forget your watch. Tom is gone to town; all here desire their love; your affectionate F. B.[1]

With this letter was sent the following extract from Dr. Bentham's letter: 'This opportunity is gladly embraced of congratulating Sir F. B. upon the pleasing and well-

[1] MS. letter at Nether Winchendon.

regulated behaviour of the young gentleman he left at Christ Church, who seems to carry a promising appearance in all respects.'

Then comes a passage from Sir Francis Bernard's answer:

I am much obliged to you for your kind congratulations on the good behaviour of my son. I hope that he will never fail in showing the full sense of the extraordinary favour he has received from the Governors of his Society in his admission to it; which is best done by his good conduct in it. *Spartam quam nactus es hanc orna* is a rule I shall always recommend to him, and I hope, as he is a boy of good conditions, he will follow it.

Misfortune seemed to pursue Sir Francis Bernard. No sooner had Scrope's election to Christ Church rejoiced his heart than it was cast down by a terrible calamity.

He had already paid one visit to London in February when Governor Hutchinson notes: '17 . . . Flucker, Waldo, R. Clarke, Gray and T. Bernard dined. Sir F. promised, but went out of town a little before dinner to Mr. Scrope's.'[1] It was a Saturday, and Sir Francis proposed spent Sunday with his friend, who was in all likelihood his youngest son's godfather. The gentlemen who dined, Thomas Bernard, dined at Mr. Hutchinson's were all born Americans.[2] Flucker had been King's Secretary for Massachusetts, Gray, Treasurer of the Province, and both of them had been appointed 'Mandamus' Councillors—that is, members of the new body selected by the King; R. Clarke (or Clarke) was an eminent merchant, consignee of one-third of the tea destroyed at Boston; Waldo, the son of a general, had represented Falmouth (afterwards called Portland), and was first collector of that port.

There is no further mention of Sir Francis until the following month, when, only a few days after he had despatched the letter to young Scrope, his son. Mr. Hutchinson writes:

[1] Hutchinson, *Diary and Letters*, vol. ii. ch. i.

[2] Ward, 'Biographical Notices' (bound with Curwen's *Diary*). Are 'Flucker,' 'Gray,' Clarke,' and Waldo.'

March 17.—. . . In the evening with Sir F. B., who came to town yesterday, at Lord Mansfield's and Lord Chancellor's. The latter gives no credit to the acct. of a salley made by Carleton, and his killing 200 of the rebels. Saw Lord Coventry the first time at the Chancellor's. Afterwards at Dr. Heberden's. Sir John Cope, at whose house in Hampshire I was with Mr. Ellis, was there.

22.— . . . At the King's Levée. . . . At the Levée Lord Barrington informed me of the loss of Sir F. Bernard's son Wm., a young lieutenant in the troops gone to Canada. He with one officer more, an ensign, and 30 men, were on board of one of the Transports or Provision ships bound to Quebec, in company with 7 sail more, off Charmouth in the Channel. The ship Bernard was in took fire; he and the other officers, and 5 or 6 soldiers, took to a boat, which overset, and they were all drowned. The rest of the soldiers and the ship's company were saved, and afterwards the ship blew up. Sir Francis is in town in poor health; was yesterday very anxious for this son, so as even to appear like a *pressentiment.*

This account differs somewhat from Julia's record of the facts. She writes, after some praise of her brother: 'One most amiable youth, William, in the Army, perished at Portsmouth harbour, where he was waiting to repair to America with a company; the ship took fire—boats did not reach in time. It was a bitter grief to all. I was at school at Kensington at the time.' [1]

Charmouth is a long way from Portsmouth—only three miles short of Lyme Regis; nor is it correctly described as in the Channel.[2] It seems likely that the boats, coming late and hurriedly to the rescue, caused confusion and interfered with each other, and thus brought on the catastrophe. Julia wrote long after the event, but the facts must have been impressed on her memory; whereas Mr. Hutchinson merely took note of a passing communication, which he may not have fully understood. The discrepancy is perplexing, but both narratives agree as to the tragical result.

Fanny Bernard commemorated her brother in some

[1] In her MS. 'Reminiscences.'

[2] *The Edinburgh Gazetteer*, vol ii., 'Charmouth' (edition of 1822).

lines written under the kind of portrait then called a 'shade' They are headed

Written under the Shade of a Deceased Brother.
1776.

Precious remembrance of that once loved face,
When with delusive joy thy form I trace,
Tell me thy nobler self yet lives in peace,
And bid each sigh, each heartfelt tear to cease,
And as thy memory on my soul is traced,
So may thy virtues animate my breast! [1]

The death of William, sudden and tragical in its circumstances, was Fanny's first poignant grief. She had not known her brother Shute; she had not seen Francis after her early childhood; the death of good Mrs. Beresford was probably a gradual loosening of earthly ties, and, however affecting, could scarcely be termed a shock. There can be little doubt that the tragical fate of William Bernard, while it depressed the whole family for a time, proved the death-blow of Sir Francis and Lady Bernard, although it was not instantaneous. It is, however, impossible not to be struck by the quickness with which the younger members of the family rallied, and to all appearance recovered the enjoyment of existence. But for this buoyancy, in they must have broken down prematurely amid the inc gloom of their home life and prospects. The parents e dently encouraged their children to bear up in times trial, and, when able, themselves entered cheerfully society, well knowing, it would seem, that it was not long.

[1] From a MS. book of miscellaneous family writings lent by General Miss Collinson.

CHAPTER XXIX

AYLESBURY LIFE AND EXCURSIONS

Sir Francis Bernard Rallies and Visits London—The Inclosure of Nettleham—Lady Bernard Visits Margate for her Health—Life at Margate—Fanny Bernard at Worsbro'—Dr. Dodd and Lord Chesterfield—Lord Harcourt—James Aitken, or 'John the Painter'—Samuel Curwen—Death of Margaret Hutchinson—Death of Lord Harcourt.

In October 1775 General Gage had been recalled.[1] His difficulties were great, but in the opinion of the British Government he had not shown sufficient energy or capacity to render success likely. He was succeeded as Governor and Commander-in-Chief in Massachusetts by General Sir William Howe. But affairs did not improve. Boston remained in a state of blockade throughout the winter, which was, of course, a season of much privation and sickness. Sir William is said to have endeavoured, by means of entertainments, to keep up the spirits of the troops and townspeople; and Nathaniel Hawthorne has made an effort of this kind the basis of one of his 'Legends of the Province House.' Whether anything occurred bearing a faint resemblance to the weird pageant he has described I know not, but the mythical festival is here noticed because of Sir Francis Bernard's supposed appearance psychically.

> The spectacle of this evening [writes Hawthorne], if the oldest members of the province might be believed, was the most gay and gorgeous affair that had occurred in the annals of the Government. The brilliantly lighted apartments were thronged with figures that seemed to have stepped from the dark canvas of historic portraits, or to have flitted forth from the magic pages of

[1] Lecky, *Hist. of England in the Eighteenth Century*, vol. iv. ch. xi., and other Histories of England and America.

romance, or at least to have flown hither from one of the London theatres without a change of garments.[1]

Suddenly a strain of funereal music is heard, apparently from the street. Dighton, the drum-major, on being taken to task by Howe for sanctioning such a performance, asserts that his men are all in the rooms, and that he doubts if one of them could play that march, which he had never heard but at the funeral of George II.

Then an unknown man, in an old-fashioned suit of black serge, such as had once been worn by superior servants, emerges from the motley crowd, throws open the doors of the principal entrance to the mansion, looking backwards towards the grand staircase, and a series of figures representing the former Governors of Massachusetts commences to descend from the highest point visible below in ghastly array.

Some quotations have already been made in an earlier chapter of this work from the ensuing description of the Governors; here it is sufficient to say that when recent times have been approached

> The shapes, which now seemed hastening to join the mysterious procession, were recognised rather by striking peculiarities of dress or broad characteristics of manner than by any perceptible resemblance of features to their prototypes. Their faces, indeed, were invariably kept in deep shadow. But Doctor Byles and other gentlemen who had long been familiar with the successive rulers of the province were heard to whisper the names of Shirley, Pownall, of Sir Francis Bernard, and of the well-remembered Hutchinson; thereby confessing that the actors, whoever they might be, in this spectral march of Governors had succeeded in putting on some distant portraiture of the real persons. As they vanished from the door, still did these shadows toss their arms into the gloom of the night with a dread expression of woe.

Howe, being taunted because he seems to shrink from the phantom of his old comrade, Gage, confronts the new apparition—his own wraith—with drawn sword and summons

[1] Hawthorne (Nathaniel), *Twice Told Tales*: 'Legends of the Province House,' i.; 'Howe's Masquerade.'

it to unmuffle, then, dropping his weapon, shrinks back in horror at the sight revealed; the figure vanishes at the threshold, stamping its foot and shaking its clenched fist with the self-same gestures of rage which Howe, it is asserted, used some few weeks later when he left the Province House for ever.

Boston surrendered on March 17, 1776,[1] and was entered by General Washington in triumph. Sir William Howe sailed to Halifax with over six thousand soldiers—the remnant of his forces—two thousand sailors and marines, and about fifteen hundred loyalists. On July 2 followed the Declaration of Independence. The provinces formally renounced their allegiance to England, but the question really had to be decided by the fortune of war.

It is probably to this time of excitement, when a bitter feeling prevailed in England, that an anecdote preserved by the descendants of Fanny Bernard may be referred. She was one day seated at dinner next a gentleman who announced his opinion that Sir Francis Bernard ought to be hanged; but whether because he had done too much or too little does not appear; whereupon her host introduced her as the late Governor's daughter.

From this epoch the Province House must have been consigned to that neglect which gradually ruined it. Hawthorne has celebrated its doom in the legend of 'Old Esther Dudley,'[2] the supposed inmate of the mansion under a succession of Governors. To the annoyance of Sir William Howe, according to this narrative, she refused to accompany him to Halifax, and he ended by leaving her in charge of the building, with the key as her badge of office. Here Esther lived a lonely life, sometimes stealthily visited by the forlorn loyalists of Boston, and every night holding converse with deceased Governors and grandees, while she once startled the town by an illumination on the King's

[1] Lecky, *Hist. of England in the Eighteenth Century*, vol. iv. ch. xiii.

[2] Hawthorne, *Twice Told Tales*: 'Legends of the Province House,' iv.; 'Old Esther Dudley.' This tale has already been the subject of allusion in ch. xix. of this volume.

birthday. Many a time she climbed to the cu to
for the approach of a Royal Governor. At t
became rife that Boston was to welcome a Go a
more. Esther made ready to receive him, fell on
exhausted, exclaiming, 'Thank God for this b
God save King George!' only to behold the too
face of John Hancock!

Esther listened to no explanations, but, rej
Republican Governor's offers of assistance, exclai
sank and the key of the Province House dropped fro
dying grasp, 'I have been faithful unto death! Go
the King!'

From these weird tales, the last of which has t
on some years in advance, it becomes needful to tu
the purpose of relating the better-authenticated
the Bernard family life. In the June of this fata
(1776) Sir Francis Bernard had rallied sufficiently t
London; but on this and subsequent occasions he
appear to have lodged with Mr. Hutchinson. In
at least of his family were with him, an escort
more precarious state of health may have rendered
sary. On the 22nd 'Sir F. Bernard, his son and
with Treas. Gray and Mr. Jo. Green, dined
Thomas Bernard was probably the son here menti
Emily, who was best fitted by age and tem
attend on the invalid, the daughter.

In July Mr. Hutchinson went to Oxford to
D.C.L. degree, after which he set out to see his friend.

6th.— . . . We went in the evening to Thame, w we
posthorses, and were obliged to go on with the hired on
at Oxford, and did not reach Aylesbury till near ten.

7th.—After church we made a visit to Sir Wm. Lee a
well. Sir F. Bernard was taken about five in the mor
one of his epileptick fits, so that we did not see him
evening, and then he was not conversible, but d i
morning, and as it grew dark supposed there was an
for breakfast, &c.[1]

[1] Hutchinson, *Diary and Letters*, vol. ii. ch. i.

I have found a letter, and one only, signed by Lady Bernard; it is apparently written by her daughter Julia, at her dictation, about this period, and is addressed to her son Scrope at Oxford. This epistle throws some light on the contrivance needed in arranging journeys and meetings in the country—contrivances not altogether obsolete in the present day. 'Riding' may be used to note what we now call 'driving,' which was more suitable to Sir Francis Bernard's condition. The letter is dated

Aylesbury, Saturday.

Dear Scrope,—After we saw you we had a consultation with the Doctor; he insisted on Sir Francis keeping to a very strict regimen of taking medicines and riding every day; it would therefore be much better for you not to come on Wednesday; you must send a letter by the Market People on Tuesday, who will send it to Thame. If I hear nothing from you I shall send the Horses to the King's Arms at Wheatley on Saturday.

Adieu, your affectionate

A. BERNARD.

On the other side of the paper is a postscript in the same trembling hand as the signature:

I am afraid of sending the horses, lest he should miss a day's riding; he may be better by Saturday.

Immediately underneath appears a message in the juvenile hand which traced the letter:

I have received your letter. Lady B. says the horses shall be sent on Monday.—J. B.

In the midst of sickness and sorrow, Sir Francis Bernard had carried through the Bill for the enclosure of Nettleham. This Bill was his, so far as the drawing went, and also, it would seem, the efforts necessary to give it a chance of success; with whom it originated I do not know. But there is no intimation that it met with any opposition; the surrounding population was small, and there was no lack of open spaces in the neighbourhood. Only a few years ago I was told on the spot that the unenclosed lands had been

infested by tramps and gipsies, who must have be annoyance to all respectable people.

The motive and purpose of the Bill are, indeed, e in its own words.[1] After setting forth in the pr the Bishop of Lincoln was owner of the manor and Sir Francis Bernard lessee of the demesne Lords meadows; that the Dean and Chapter, the Prei of St. Mary Crackpoole, and the Chancellor of the Cath who was also rector of Nettleham parish, were own tithes; and that sundry persons were lessees of tit lands (as mentioned in a previous chapter[2]), it cont

> And whereas the properties of the several proprietors lands and grounds before described, lying intermi persed in small parcels, and inconveniently situated, are, present state, incapable of much improvement, and are with great trouble, difficulty, and expence to the prop cultivation thereof; and the said proprietors are therefor that the same lands and grounds may be divided, and enclosed, and specific shares thereof allotted and unto and amongst them in severalty, in lieu of, and p to, their respective lands, tythes, common rights, a therein.

The Bill, or Act, fills about thirty-seven pages; bu most important paragraph in relation to the family following:

> And whereas the demesne lands and Lords meadows said, with the appurtenances, are held by the said Sir Bernard by lease from the said Lord Bishop for t three lives; and it is agreed between the said part said Sir Francis Bernard, his heirs and assigns, shall take upon themselves the whole expenses attending and to the enclosing of the said leasehold lands, with their tenances, and of fencing the allotments to be set out thereof, upon having an allowance in land for such purp

[1] 'An Act for dividing, apportioning, and enclosing the open and fields, commonable lands, and waste grounds within the manor and pa Nettleham, in the county of Lincoln, 1776.' An interesting article 'Common' will be found in Rees's *Cyclopædia*.

[2] Ch. ix. Volume I. of this work.

Therefore be it enacted by the authority aforesaid, that the said Commissioners shall, and they are hereby required to deduct and set off from the allotments to be made to the said Lord Bishop and his said lessee, in lieu of the said demesne lands and Lords meadows, with their appurtenances, a piece or parcel of land, not exceeding fifty acres in quantity, nor being of greater value than one-twelfth part of the whole of such leasehold lands, at the par or average value thereof (after deducting the allowance to be made out of the same for roads, stone pits, public drains, and tythes) which piece or parcel of land so to be deducted and set off, shall be assigned and allotted to the same Sir Francis Bernard, his heirs and assigns, for ever, as freehold in fee. . . .

The freehold land actually acquired by the family would appear, from a paper of long subsequent date, to have amounted to about forty acres at that time.

If the malady by which Sir Francis was afflicted increased in virulence from the time of his son's death, Lady Bernard's nerves appear also to have suffered severely from the shock. There was a tradition in the family, that she felt specially responsible for his death because she had strongly advocated his choice of the army as a profession; and that one day, when entering a room in which she found herself opposite the picture of a shipwreck, or rather, probably, of a ship on fire, she fainted. Towards the end of the summer she resolved to visit Margate for her health, apparently leaving Sir Francis under the care of Emily. Of this excursion Fanny has given a fairly exhaustive account,[1] addressed to Scrope (who also remained in Aylesbury for the Vacation), and dated:

Margate: August 12th, 1776.

Dear Scrope,—Having notified our arrival in form, I sit down to be more particular about our situation, &c. I know you are fond of descriptions; I have therefore fixed upon you as the person on whom a long letter would be best bestowed. I shall begin with the most remarkable incidents in our journey. On the first day we found the heat most intolerable. We therefore stopped at Berkhampstead and dined. I and Julia, in order to cool and rest

[1] MS. letter at Nether Winchendon.

ourselves, walked two miles to see Wild Peter;[1] he answered my expectations, though I repented the expedition.

We slept that night at Stanmore, and the next morning early proceeded. We passed through London without stopping a moment, and dined at Blackheath, where the heat was intense. I could not help again gadding after curiosities; we walked down to Greenwich, saw the Hospital and the *Charlotte* yacht, a beautiful little vessel elegantly carved and gilded. I was much tempted to go on board, but being not properly escorted, some few motives prevented. In returning Julia dropped her cap from under her hat, and walked several yards in the street without perceiving it; it was at last announced by a little black girl, who followed us and delivered it safe. That night we slept at Dartford; we were shown to the Bull Inn, where the accommodations were good, but the bedrooms very close and bad. Mama, who wanted breath that day, complained terribly to the mistress of this defect, and desired she might have a mattrass on the ground in the room [where] we sat; this rather piqued the haughty dame, who in the most polite manner possible turned us and our luggage out of the house; so at nine o'clock we had another inn to seek for. We at last found one to our mind; the next day we proceeded to Rochester, where we dined and saw the Cathedral, which has nothing curious about it.

This is an eighteenth-century heresy in point of taste; but Rochester Cathedral, like many other ecclesiastical edifices, may have been neglected and disfigured.

We stopped at Chatham, where I took a distant view of the barracks, which seem delightfully situated; I had also a view of the *Victory*, a fine Man of War of 138 guns, but as it was repairing and without masts it did not appear to advantage. We

[1] The person indicated must have been 'Peter, commonly called the Wild Boy,' who, according to the article in Rees's *Cyclopædia*, 'was found in the woods near Hamelyn, in Hanover, in the year 1725. He was from his appearance supposed to be about twelve years of age, and had subsisted in these woods upon the bark of trees, berries, &c., for a considerable time. How long he had been in that state could never be ascertained, but when found the remains of a shirt collar were about his neck. He was brought to England in the following year, by order of Queen Caroline, but though every attention was paid to him he could never be brought to speak. It was pretty well ascertained that he was an idiot. He was placed under the care of a farmer at North Church, in Hertfordshire, where he lived on a stipend of 35*l.* per annum allowed him by the Government.' When visited by the Bernard sisters Peter must have been sixty-three years of age.

slept that night at Feversham, and the next day arrived at Margate to dinner. The road from London to Canterbury was inexpressibly beautiful; a very hilly country, interspersed with woods and lawns with charming, uncultivated variety; the top of each hill commanding an extensive view of the Thames, with ships in full sail, which in that part is little inferior to the ocean.

You will now expect a description of our situation; know then that Margate is situated on the top of a hill, on the verge of the ocean. I can say little in favour of it, as the town is dirty and generally rainy; the country around, though high, is flat and disagreeable, and for miles round bespeaks a sea-coast. High Street, where we lodge, is an humble imitation of one of the narrowest, shabbiest little allies you meet with in London; there is just a track for one carriage, but not a yard to spare; we are, however, conveniently placed for bathing, being within a step or two of the houses; the machines are pretty and convenient; I shall bring a picture of them, therefore shall spare a description; we have a good view of the ocean, as we are just at the bottom, and having a bow-window 'we look up our lane and down our lane' all along from the waves at one end to a stone wall at t'other. The town is very full of company, and we see early of a morning such a diving and dipping as if they had been bit by all the mad dogs in the kingdom.

The practice of bathing in salt water as a preventive of hydrophobia is mentioned in a letter from 'Dr. Plot to Dr. Charlett'[1] so early as 1693, but with a touch of satire; the writer evidently considered it a craze. It seems, however, to have held its ground as preventive and cure combined during a great part of the eighteenth century. When it went out I do not know.

To return to Fanny Bernard. She continues:

Mama desires she may dictate; therefore from hence are her ideas.

The time of our stay here is uncertain, as we find ourselves in great want of such a boy as Jack. The necessaries of life are not to be had without a servant to get fresh water, provisions, and many other articles—as there is no such maid to be hired under ½ a guinea a week.

[1] *Letters Written by Eminent Persons in the Seventeenth and Eighteenth Centuries*, vol. i. 'Letter XXVII.; the letter is dated 'Rochester, Aug. 18, 1693.'

Indeed, everything was so expensive that Lady Ber[illegible] had thought of returning to Aylesbury, although [illegible] tially re-established in health; but the roan horse whi[illegible] brought the party from Aylesbury, in conjunction wi[illegible] hired horse, was galled. This precluded any attempt travelling, and had also prevented the invalid from deriving full benefit of the air by taking drives. If Jack could [illegible] the other chaise horse, and return with Mr. White's [illegible] once, it would obviate many difficulties. Also, further tances would be needed. Lady Bernard was evidently nervous condition: she 'hopes to find the trees cut [illegible] her window' on her return, lest the close atmosphere sh[illegible] undo the effects of the Margate breezes. Then Fanny [illegible] on to request a small advance of money to herself account of unforeseen expenses, and proceeds:

> You must not think from my description of Margate that all through answerable to High Street; we have an elegant built square, with some handsome rows of houses in adjoining; the ball-rooms are as pretty as any I have seen make a fine appearance on the outside; there are dive some kind going forward every day. I have not yet any of them, tho' as an inhabitant of the town I have en[illegible] to subscribe five shillings, and ½ a guinea to the Mas[illegible] Ceremonies, which is expected whether you go or no; the also an additional premium to each diversion.
>
> A circulating library here demands also five shillings everybody that comes, after which you are at liberty to newspapers and what else you please; company meets every morning to talk, raffle, &c.; you may be sure I endeavour to have my crown's worth of reading before I go cannot tell how I spend my time; I find no variety but what passes our windows. I am generally working or unless when airing with mama; upon the whole I rather myself at home, and was it not for Julia I should be unhappy.

How and when the visit ended does not appear: probably the party remained at Margate until late in tember, since a visit which Fanny had been promised Mrs. Edmunds took place later than at first intended;

Sir Francis, who was to go to Lincoln at the same time, took with him Emily instead of Julia, who had been originally named as his companion, probably because Julia had but just returned home. This excursion is described by the vivacious Fanny in another letter to Scrope, then at Oxford:

I fancy you have had some intelligence of our journey and safe arrival; if not, I will look back and just touch on the subject. We with difficulty reached Norton late on the fourth day, and found Mr. and Mrs. S. [Shore] very well; we had intended to continue there but two days, but my father being unwell detained us there a week. I was much struck with the beauty of the country, particularly about Norton, which has a charming scene around; it is situated on the top of a hill, encompassed with a view of the wild moors, woods, hills, dales, rocks, mountains, rivers, cascades, and everything rural and romantick, bespeaking uncultivated nature in every tree. I fancy it will remind you of America. After a week's stay at Norton, my father being perfectly recovered, we proceeded to Worsbro', where we were hospitably received by a sociable and comfortable family, consisting of Mr. and Mrs. E. [Edmunds], Miss F. Pearson, three sweet children, and Miss Dixon, their superintendent. My father and Emily staid here three days, and then proceeded to Lincoln, from whence I have not yet heard from them, and tho' my little niece has been made a Christian of this month, I know not yet her name, nor can I obtain a line from that quarter; I wonder my feeling the neglect of others should not cure my own.

The 'little niece,' born October 5,[1] was named 'Mary Troth'; the origin of the second appellation I cannot explain. She lived only till November 19.

About this time Governor Hutchinson must have been at Boston, in Lincolnshire, whither he went because he wished to see 'the mother of American Boston.'[2] On October 21 he notes: 'Called upon the Vicar of Boston, Mr. or Dr. Calthorpe, who received us with great civility, he being an acquaintance of Sir F. Bernard, who had spoke of me in his hearing, much in my favour.' Hutchinson's party

[1] From family dates communicated by Miss Collinson.

[2] Hutchinson, *Diary and Letters*, vol. ii. ch. i.

consisted of his daughter, Judge Oliver and his niece, an
Mr. Paxton 'with his servant.' They appear to have visite
Sleaford and Grantham, but Lincoln is not mentioned, no
any meeting with Sir Francis Bernard.

Fanny's letter continues:

I am most comfortably settled at Worsbro', and don't recolle
ever being so happy or so free from anxiety; money in my pock
handsome clothes, and nothing to do but to sit by a pitcoal fir
eat, drink, sleep, and be merry. I don't know absolutely, was I
wrack my brain ever so, I could find a single thing to vex me,
now and then tearing an apron or losing at cards, which if I
grievances of, 'tis a sign I want something more substantial.
am so merry and riotous that there is some intention of dr
up a complaint in the name of the whole house.

Fanny had made some excursions and paid visits. O
whole day had been spent at Lord Strafford's seat. T
rest of the letter consists of gossip, plans, and notes
recent family events. It concludes with an all
Scrope's rooms and life at Oxford:

Here have I been writing above this hour and a half, no
standing there is a reading and working party below m
ingly alluring me to leave my station. What an e
situation is mine! Large comfortable rooms to range in,
good fire in every one, a fine prospect from every window, s
cheerfulness, and plenty of time to spend as I like, com
dull garret, three little rooms just to turn round in, winding
them as if one was mounting to the Monument; a wall
half a yard distant from the windows, hardly a soul to s
and poring over dull books all day.

Fanny remained at Worsbro' all the winter, an
the following summer and autumn, if not much longer;
I know not whether the idea she mentions, that T
and Scrope should both spend part of the Christmas
tion there, was carried into effect. Sir Francis and
had probably returned to Aylesbury before that time.
was also at home when not at Hartwell, and her letter
tain some Bucks news. The date of the following epis
Scrope is approximately fixed by the reference it contai

Dr. Dodd, who in February 1777 was arrested on the charge of forging the signature of his former pupil and actual patron, the Earl of Chesterfield:

Dear Brother,—In answer to your little letter of Saturday last, I am set down to write you one rather longer, and fancy I have a great deal to say, and as you are not a reader of newspapers, may possibly tell you something new, but, without being a newsmonger, you must have heard the great piece of intelligence that Gen. Lee is taken prisoner and bringing over to England; perhaps you may not have heard the particulars, and that Col. Harcourt[1] is the happy person who has acquired such honour by the action; he was out on a reconnoitering party with a cornet and 12 men, and met with a countryman, whom they seized, and found a letter upon him from Lee to Washington, with the wafer still wet; by threats he obliged him to conduct him to the place where he was concealed; they surrounded the house, and Lee, after firing out of the window, rushed out, threw down his sabre, and claimed the benefit of the Proclamation; he was however disappointed in this very reasonable expectation, and conducted close prisoner to Gen. Howe, and he is expected in England. I think he stands as fair a chance of being hanged as anybody can wish, and I must confess the traitorous part he has acted deserves it.[2]

General Charles Lee was a native of Cheshire, and originally an officer in the British Army, but had turned traitor, it is said, through discontent. Some particulars of his wild career may be found in histories of the American War.[3] He was not, however, brought to England, but exchanged. In a short time he was at variance with Washington, who in his turn suspected him of negotiating with the British commander, and after a trial by court-martial he was dismissed the service of the States. Julia's letter continues:

You must have heard the affair of Dr. Dodd talked of, poor man. Though he does not much merit it, he meets with pity from his admired talents as a preacher; it's a pity his principles for-

[1] 'Apparently William, second son of Earl Harcourt, Colonel of 16th Dragoons, eventually G.C.B. and Field-Marshal. See Burke's *Extinct Peerages*, 'Harcourt.'

[2] MS. letter at Nether Winchendon.

[3] See also *Biographie Universelle*, 'Lee (Charles).'

sook him just then, when the temptation threw itself in his way, and he depended on the greatest secrecy, though he was prepared to set out for France; what renders the action worse, and throws the odium of ingratitude upon it, is that Lord Chesterfield had lately presented him with a living of 400 a year, and had been his pupil for six years.

Dr. Dodd had never shown signs of having any 'principles,' in the usual acceptation of the word, to forsake; but this Julia Bernard may not have known. He was one of those men whose conduct excites wonder, how any bishop ever ordained them, and why there was no power to prevent them from exercising functions which they desecrated. The exaggerated value attached to pulpit eloquence in England, however, partly accounts for the fact. Lord Chesterfield was unfortunate in owing a portion of his education to such a man, and reprehensible for presenting him with a living. But to his gift of preaching Dr. Dodd added a certain charm of manner and conversation, which rendered him an attractive companion, and the Earl, the same nobleman to whom his distinguished predecessor and distant relative wrote the letters published in 1890,[1] was not a man of strong character. Of this young peer Julia writes:

Lord Chesterfield is at his seat; he came on Sunday to stay about three weeks and make a rumpus; from what we have seen, he visits everybody with the greatest politeness, and makes great entertainments in return; he called on my father on Thursday morning, just as he was going to pay his court; he prevailed upon him to dine. Sir Wm. and Lady E. have dined there, and he dines with them to-morrow; my father and mother and Sir John Vanhattem are invited to meet him; they have excused our going as their company will be so large; six from Ethorp [Eythrope], my Lord's sister and bro.-in-law, Mr. and Mrs. Green, and his chaplain.

Mrs. Smelt [Lord Chesterfield's sister] visited Lady B. this morning, and hoped she would dine some day next week. Lord C. is upon honour to appear at Dr. D.'s trial, and goes next Friday, to return again; he seems a very pretty young man, and like to

[1] Chesterfield (Philip, fourth earl of), *Letters to his Godson and Successor*, edited, with Memoir, by the Earl of Carnarvon, Oxford, 1890.

prove an agreeable acquisition to the neighbourhood—much life and spirit without extravagance and folly. This Earl has taken quite enough of my letter; another and greater Earl must have a part, Earl Harcourt. To the great joy of our neighbours, he arrived safe in town not long since, and came to Hartwell last Monday; but is gone again to-day: we have not seen him, my father visited him in the afternoon. If you have seen any papers lately, you must have seen the very great encomiums on him on his quitting Ireland, that no Viceroy ever gave such universal satisfaction, and was so regretted, &c. The town rings at present with Col. Harcourt's praises for the spirited and clever part he has acted. Sure they will reward him handsomely; a ball went through his helmet, what a narrow escape! the cornet was wounded and one man killed. . . .

Then follow some passages on domestic concerns. Mr. Noyes, senior, had lately died. The widow and family contemplated leaving Berkhamstead altogether and residing in their smaller house at Gaddesden. Julia was to visit them there before the final settlement. The sequel to Dr. Dodd's history is well known; in accordance with the law in force at that period, he suffered the penalty of death on the gallows.

On March 16 Julia wrote to Scrope again:

Sir F. and Lady B. are gone to London—the former with an invitation to proceed to Lincoln—and your two sisters are at Hartwell, where they have been a week last Wednesday—the time papa and mama have been in town. Their intention was to stay three weeks; my mama said she should return before Easter, and I believe we shall be settled at home by the time we may hope for your company. Our good neighbours are very good to us, and we are so happy that we shall be quite spoilt.

I have begun cracking the nut you sent me, and am much obliged to you for employing me; it will improve me in my French very much, for I can assure you it is not very easy to put into good sense, and yet preserve the meaning. Upon reading over a page I have done, I can hardly understand it myself. I find that, for want of practice, I have partly forgot what I learned in that language. Since I have been here I have looked a good deal in a French book (Marmontel's 'Tales'), in order to accustom myself to understand it with ease, but partly for amusement; there are many pretty tales among them.

The book was most likely 'Contes Moraux,' by
montel. The stories hardly deserve their name,
are at least free from the cynical coarseness of such
writers of the century as Fielding, Sterne, and Sm
Julia proceeds:

> My brother said in a letter to Sir Wm. to-day that
> going with a gentleman to Berkhamsted to show him the
> I should be quite grieved to leave that house, but if they th
> too large they are in the right.
>
> The young Earl, our neighbour, continues very fond c
> country, and is vastly improving his place both within and
> out doors; there is room for improvement; he is vastly activ
> lively, a most agreeable young man, a great deal of good hum
> drolery, but quite a rattle sometimes. I have dined once
> seen him a great many times; he is continually driving
> somewhere.

Mrs. Smelt, the Earl's sister, who is characterised in
letter as 'a most pleasing, agreeable woman, totally diff
from her brother,' was still with him.

Lord Chesterfield was probably at this time engag
pulling down old Bretby Hall, in Derbyshire, and c
quently made Eythrope his home. Before the close o
year he married Selina, daughter of the Rev. Dr. Th
thwayte, of Southwick Park, Hants.[1] His liking
Eythrope was evidently superficial; indeed, he was
descended from the Dormer heiress who had brought
estate to the Stanhopes, and but distantly related to t
possessors. Eventually he employed Wyatt as the arc
of a new mansion at Bretby, and, after its erection, s
gradually to have lost interest in his Bucks property.

Lord Harcourt is again mentioned in the same l
'a very polite, agreeable man; he was so obliging tc
us as many franks as we wanted.' In her 'Remin
the same writer calls him 'the most unassuming, plain
you could meet. I remember him coming there [*i.e.*
Hartwell] once in a hired chaise with his man in
riage; he had given up his seat and equipages to l

[1] Burke, *A Dictionary of the Peerage, &c.*, 'Chesterfield, Earl of.'

George Grenville, eldest son of the Stamp Act Minister and nephew of Earl Temple, then resided on the Grenville estate at Wotton, Bucks. He was often at Hartwell with his wife, the elder coheiress of Robert Nugent, Viscount Clare, created Earl Nugent the year after his daughter's marriage. In her 'Reminiscences' Julia gives them the titles they afterwards bore.

The late Lord and Lady Buckingham I have passed many days with there; she being then a beautiful young woman of nineteen; more natural, free from parade, love of dress, fashion, or display than any woman I can remember, of the same rank in life more particularly. Lord Nugent, her father, was with them at that time, a bold, free, forward man.

Hartwell has already been described as a noble mansion, well appointed, and a centre of hospitality. One detail of the housekeeping has, however, been placed on record, which reads curiously in the present day. Buttered toast and muffins were apparently recent discoveries, and Lady Elizabeth insisted that her guests, if they wished for such luxuries, should prepare them in the breakfast-room; otherwise the maids would be hindered from their upstairs work. This no doubt led to the gentlemen volunteering to save the ladies all trouble in the matter; but want of practice, and consequently of skill, rendered the undertaking sometimes arduous. One of the guests, Mr. Croke (afterwards Sir Alexander Croke), of Studley Priory, Oxon, related many years later that he had often burned his fingers in the occupation.[1]

A London visit of Sir Francis and Lady Bernard in the March of 1777 is mentioned by Governor Hutchinson:

8th.—Sir Francis Bernard and Lady came to town last evening, and dined with us to-day, with Paxton, Dr. Caner, Chandler, and Boucher. . . .[2]

[1] So late as 1880, when Sir Alexander was once more on a visit to Hartwell. See *Ædes Hartwellianæ*, by Captain (afterwards Admiral) W. H. Smyth, R.N., note to ch. ii. A similar account was given me by an Aylesbury lady, the late Mrs. Hooper (*née* Hunt), quoting, I believe, a letter from memory.

[2] Hutchinson, *Diary and Letters*, vol. ii. ch. ii.

Of these gentlemen, Paxton is well known to the re as the former Commissioner of Customs. As a gues must have been an acquisition, being 'remarkable finished politeness and courtesy of manners.' Dr. Ca man of high reputation as a scholar and divine, had b rector of the King's Chapel in Boston, and was a D.D. Oxford. He was about seventy-six when driven into ex but lived to be ninety-two. Chandler may have been Samuel Chandler, a New York clergyman and leader of loyal party. Boucher, called by Hutchinson in another 'Parson Boucher,' was probably the Virginian clergy of unshaken loyalty who was appointed vicar of E when in England.[1]

Mr. Hutchinson's party took place on a Saturday, the next entry is:

9th.—At the Temple with Sir F. B. Dr. Thurlow. . . .

The following Sunday (the 16th) Mr. Hutchinson elsewhere—to 'the Old Jewry with Judge Oliver,' and Court and the Drawing Room on the King's side only.'

In the evening with Sir F. B. at Lord Chancellor's and Mansfield's, and afterwards at Dr. Heberden's. Lord M Lord Willoughby of Parham, &c., at the Chancellor's. L Northumberland, Lord Dudley, Lord Panmure, &c., at Lord field's. Mention made of Bancroft and of its being i on him, when John the Painter was apprehended, to have Government of John's having been with him. Lord said he had seen a vindication of Bancroft in a news doubt by the appearance of it was his own doing, but sai in his favour.

'John the Painter,'[2] whose real name was J James, Aitken, was a Scotsman lately retur

[1] These notices are taken from Sabine, *American Loyalists*. Dr. also mentioned by Goddard (*Mem. Hist. Boston*). There were sev driven from their homes, but Dr. Samuel is the one noticed settling in England.

[2] These particulars of 'John the Painter' are in vol. ii. ch. ii. o son's *Diary*, as edited by his great-grandson. Allusions may, o found to the circumstances in other books relating to the time.

America, an inventor of explosive machines, who had made attempts 'to burn the arsenals at Portsmouth and Plymouth and the shipping at Bristol; several houses were actually destroyed. He confessed to having acted 'at the direct instigation of Silas Deane, the American Commissioner at Paris.' Dr. Bancroft excused himself for not giving information, on the ground that he believed Aitken to be a spy of the English Government. The incendiary was executed at Portsmouth on March 10, 1777.

Numbers of loyalists continued to arrive this year; but, unless the 'Diary' mentions any of these refugees as dining in company with Sir Francis Bernard, I have no means of knowing whether they renewed acquaintance with him. Judge Auchmuty he probably met, though the fact is not recorded. Sewall, his Attorney-General, who was in England so early as 1775, is not mentioned by Hutchinson in connection with Sir Francis until three years later; neither is Sir William Pepperell, who reached the Mother Country early in 1776, greatly depressed in spirits, having lost his wife on the voyage. The house on Jamaica Plain, in which Sir William had resided, would no doubt be a topic of discussion between him and Sir Francis. Possibly the lease had been only for seven years; but in any case Sir Francis can hardly have received any more rent for it, since his tenant was a ruined man. It was soon after this time, probably, that it became a camp hospital.

Another American refugee, named Samuel Curwen, who arrived in 1775, has left a 'Journal and Letters' bearing much resemblance to the 'Diary and Letters' of Governor Hutchinson. He belonged to a Salem family, and had been thirty years in the Commission of the Peace, but does not seem to have known Sir Francis Bernard in Massachusetts. When he left America he was a Judge of the Admiralty Court, probably appointed by Hutchinson, whom he greatly admired. It was, indeed, through signing a complimentary farewell address to that Governor, and then refusing to 'recant,' that he found his position at Boston untenable. Otherwise he appears to have been but a lukewarm Royalist,

and was a fierce Dissenter. Curwen occasionally visited Hutchinson, but does not seem to have met Bernard there. However, in 1776 he writes: 'London, Feb. 15, Dined with New England Club at Adelphi Tavern; was introduced to Sir Francis Bernard.'[1] And again, when visiting Oxford in 1777, he notes proceeding on May 7 'to Christ Church College, in Peckwater Square; meeting Sir Francis Bernard with a son now educating here.'[2] They do not appear to have seen each other again. At the close of the war, in 1784, Curwen returned to America.[3]

The arrival of destitute relatives and friends must have had a depressing effect on Governor Hutchinson; yet there was a certain sad pleasure in the reunion. Other painful events, however, followed. During this year (1777) and the immediately succeeding period the domestic record is full of sorrow, which doubtless hastened his end.

Early in the year Margaret, or Peggy, Hutchinson, the Governor's daughter, showed symptoms of failing health.[4] In a letter written some months later by Julia to Scrope Bernard allusion is made to the progress of the disease. It is, indeed, a gossiping letter, touching on many topics, as will be seen, and begins:

As you have been so anxious about Master Lee liking his new situation, every confirmation of that will give you pleasure; Sir W^m^ and Lady Eliz. have both heard from him since I wrote to you; he says 'he likes Harrow so well he thinks he shall never be tired of it'; he has bought a new set of tea-things, and says, with great satisfaction, 'and now I invite and am invited.' Sir W^m^ seems much pleased with his situation.

I am obliged to you for the books; I hope to make a good use of them. I must confess myself very deficient in the knowledge of history, which everybody ought to know something of, and hope to make up that deficiency, as well as many others.

We have had several gentlemen to dinner to-day, among the rest a Mr. Bingham, uncle to Sophy's father, who was with Dr. Bridle at Hardwicke; he is an old friend of my father.

[1] Curwen, *Journal*, ch. i.

[2] *Ibid.* v.

[3] The foregoing sketch of Curwen's life is taken from the 'Introductory Memoir,' in the same volume as the *Journal and Letters*.

[4] Hutchinson, *Diary and Letters*, vol. ii. ch. ii.

Dr. Jeffries did not call on his way to Berkhamstead; he had not time.

Dr. Bridle[1] was a Fellow of New College and rector of Hardwick, a parish north of Aylesbury, on the Buckingham road. Sophy was a lively young lady whom Julia had met at the Noyes' house. I am not certain whether her name was Bingham. The next paragraph in Julia's budget of news is the following:

I believe you have heard us mention Mr. Perkins, Dr. Dodd's nephew, as being far gone in a consumption; he died this morning at Eythrope; Lord Chesterfield is absent, and I think must be shocked when he comes home; he talked of taking him with him to Winchester Races; it's happy he did not; he seemed better a few days ago and walked about.

It seems strange that the nephew of a man who had recently been hanged should think of appearing at races. Perhaps he did not; but Lord Chesterfield evidently thought of taking him, which is almost equally strange. There can be little doubt on this subject, because the next paragraph in the letter affords a clue to the date: 'I suppose you have heard that Miss Hutchinson is quite given over. What a shock it will be to Governor Hutchinson! I am very sorry to hear it.'

Margaret Hutchinson died of consumption on September 21, 1777.[2] Twelve years of her short life had been spent in peril and anxiety. Julia Bernard's letter must have been written either in August or early in September. Dr. Dodd had been executed on June 27.[3]

Then comes a passage in the same letter of a different

[1] Lipscomb, *Hist. Bucks*, vol. iii., 'Hardwick.' Dr. Bridle was instituted in 1760, having been previously rector of Akely. He remained at Hardwick until his death in 1792. The name of this parish is now generally spelt without an 'e.'

[2] Hutchinson, *Diary and Letters*, vol. ii. ch. iii.

[3] There is an allusion to Dr. Dodd's execution in Hutchinson's *Diary*, vol. ii. ch. ii. The date of his death, with other particulars, may also be found in histories and biographies of the time.

character; it is one of the very few allusions to dress in t correspondence, and the longest:

> In regard to your patterns, the buff is a pretty colour, I c tainly would not suit your orange waistcoat, and a Feuille will suit, I think, worse; the light green is pretty; they w either of them suit [probably either light or dark green]; t the truth I don't think you can with propriety wear your waistcoat in the heat of summer; I don't recollect seeing one.

In that same month of September, during which garet Hutchinson attained the goal of her troubled pilg age, a deep gloom was thrown over the hospitable house Hartwell by the unexpected and tragical death of La Harcourt. Julia notes in her 'Reminiscences':

> The death of this worthy nobleman was affecting and able. He was walking in the woods at Nuneham with h his dog Dash, which I well remember, when the dog fell into well; his master stooped down to see if he could help h pitched in. It was some time before he was found. I re happening to walk to Hartwell just at the time this c intelligence had reached the place. I marked a great c Sir William's countenance, and a lady there. Lady El very unwell, and it was kept from her that day.

CHAPTER XXX

CLOSING SCENES

Fanny Bernard's Happiness—Her Offers of Marriage—Sir Francis again Visits London—The Commissioners to Treat with the Americans—Death of Lady Bernard—Sir Francis Visits Mrs. Edmunds—He Pays Another Visit to London—A Committee of American Loyalists—Friendship between Scrope Bernard and William Wyndham Grenville—Julia Bernard's Engagement—Sir Francis's Last Visit to London—His Death—The Gordon Riots—Hawthorne's Sensational Picture of Governor Hutchinson's Last Days.

DURING that year 1777, in which the events just narrated gave occupation to Julia's powers of description, Fanny Bernard remained with her cousin in Yorkshire chiefly; it appears, indeed, that she paid occasional visits to other houses, making Worsborough her headquarters. I have only two epistles of this time written by her to Scrope; these confirm the previous account of her great happiness. In the first, dated July 6, from Tyers Hill, she says:

I have been for these five days past at the place where the scene of action in my little history was laid, in a most agreeable *tête-à-tête* with the amiable sister of my heroine; . . . for particulars of the friends whom I am with I refer you to Julia; my partial pen might say too much; suffice it that many circumstances have served to endear us to each other, and the discovery of many great and amiable qualities in her makes me very happy in her friendship and affection.[1]

On December 8 Fanny was still at Worsborough; Scrope had paid a visit there in the meantime, and she wrote:

When you left us I was looking forward with a melancholy eye to the time of my departure, & dreaded the expected day, after

[1] MS. letter at Nether Winchendon.

three weeks spent in making farewell visits at Hansworth[1] Hill, Ravenfield, and some pop visits of ceremony, and leave of all my friends, who never expected to behold me ship again so speedily. I departed with Mr. & Mrs. E. most sorrowfully disposed indeed, for Lincoln.[2]

There the party remained only ten days. Mrs. was persuaded to relinquish her sister for the promising to fetch her in the spring and take her Fanny consequently accompanied Mr. and Mrs. E. She says: 'We took a circuit in our way for the some visits & excursions,' and particularly mentions to Norton. Notwithstanding her love for her coun their surroundings, it seems undeniable that she f winter somewhat dull. She tells Scrope: 'You s the cream of the whole twelve months, for, savin visiting & dancing at Lincoln & a few sociable *tête-à-t* the old folks in the neighbourhood, we have bee rustics, moped up under the shade of the odious tree the prospect of going to Sheffield, Wentworth Cas Wakefield cheers her up.

Fanny's long stay in the north resulted in at le offers of marriage. The names of her suitors she d withholds, but her description of the second admire of courtship is singular, seeing that he must have n a gentleman:

> . . . Such a lovely gentle Arcadian swain is now k my feet; I wish I could send him you to peep at, how would you be with my conquest! Such a lovesick youth beheld, 'tis too perfect a subject to enlarge on! I'll give character, from his own words: he says, 'I am pratty ever he see'd, I shou'd mak a rare wife, & he wishes I'd h Thus much for this son of politeness and gentility—a pr of household furniture I shou'd make, forsooth, but, stars, I shall never ornament his house.

The other youth was known to Scrope. Fanny i him by describing the position of his house

[1] One letter is indistinct, but 'Hansworth' is the most likely re

[2] MS. letter at Nether Winchendon.

Sheffield and Norton. He had written her a declaration, 'the week before I set out for Lincoln.' In this case the want of means and prospects formed an obstacle to marriage; Fanny liked him, but took a very reasonable view of the situation.

Her father and mother and Emily she believed to be at that time in town, and also the family from Norton. The journey from Aylesbury had been delayed by an illness of Sir Francis, about which she expresses some anxiety. At the close of the letter Fanny bursts into a wail over the state of public affairs:

> The Lord have mercy on our poor sinking country; whither will the madness of our leaders drag us? if we go on at this rate I shall positively set sail for the East I[n]dias. I am acquainted with a very amiable young man who was lost in the *Augusta*, a brother of the Miss Massingberds of Lincoln.

How the loss of the *Augusta* occurred I do not know; but it was probably in some way connected with the American War, which Fanny had on her mind. In this year, at one time fraught with a promise of success to the British arms, Sir William Howe seems to have thrown away the advantages of his position and the subsequent opportunity afforded by his victory at Brandywine; while General Burgoyne, involved in difficulties through the fault, perhaps, of others rather than his own, surrendered at Saratoga. Not one of our English commanders was able to oppose Washington with success. How far they were cramped by a bad system and weak Government may be studied in the pages of history.[1] Meantime Benjamin Franklin and John Adams were in Paris, as Ministers-Plenipotentiary from the newly constituted States of America, to negotiate an alliance with France, whence much surreptitious aid had already

[1] The particulars of the American War may, of course, be found in most Histories of the time at more or less length. See especially, for a clear concise narrative, Lecky, *Hist. of England in the Eighteenth Century*, vol. iv. ch. xiii. For the Parisian proceedings, *Biographie Universelle*. Notices of 'Franklin' by Biot, and of 'J. Adams' by Botta, have been consulted, besides the histories and biographies already noticed.

been afforded to the revolters. This alliance decid fate of the struggle, though even after its ratificati war was prolonged some years.

In what month Fanny Bernard, probably escor Mrs. White, left her many kind friends and their hos houses in the north for the home of parents, both in carious state of health, does not appear; the chan undoubtedly depressing whenever it may have oc The spring had, however, no sooner commenced Sir Francis once more visited London. In March Governor Hutchinson writes:

26th.—. . . At Lord North's Levée with Sir F. Bernard few people there. I never saw him appear more oppresse business. . . . Sir F. Bernard has seen Mr. Jackson; he prospect of advantage in going Commissioner; doubts whe shall go. Lord Carlisle, at Lord North's Levée, appeared much engaged. In the city Mr. Rashleigh told me peopl much disturbed—English ships stopped in the ports of F Spain, also, declared to support a trade [*sic*] with Amer independent States. All tending to confusion. . . .[1]

The Mr. Jackson, now proposed as a Commissio treat with the Americans, was the person to whom Gov Bernard had written letters from Boston when he Secretary to Lord Halifax. He was now a Bench Lincoln's Inn, and represented Romney in Parl Hutchinson makes frequent mention of him in the 'D The Commissioners were to be sent 'with full pow treat with Congress, to proclaim a cessation of hostili land and sea, to grant pardons to all descriptions of per and to suspend the operation of all Acts of Par relating to the American colonies which had passed February 1763.'[2] In fact they had power to concede e thing but formal independence.

'28th.— . . . Sir F. B. and son, Greene, Thomas Sewall, dined with me and Jud. Oliver,' writes Mr. chinson. And on April 3rd: 'The three Commi

[1] Hutchinson, *Diary and Letters*, vol. ii. ch. iv.

[2] Lecky, *Hist. of England in the Eighteenth Century*, vol. iv. ch

kissed the King's hand—Lord Carlisle, Mr. Eden, and Gov. Johnstone in the room of Mr. Jackson.'

Richard Jackson had acted wisely in declining the proffered post. The negotiation failed—it came too late; the insurgents were now animated by their recent compact with France.

On April 7 Lord Chatham made his last appearance in the House of Lords, whence he was carried home; he died about five weeks later.

Early in June Mr. Hutchinson notes in his 'Diary':

> 2nd.—. . . Lady Bernard died last week, the 26th [May], at Aylesbury. Paxton was there on a visit. She had been in poor health several months, but took an airing the day before the night in which she died, or rather towards morning.[1]

This apparently means that she died towards the following morning. True to her character she had held up to the last. Thomas Bernard states that, as might have been anticipated, Sir Francis 'suffered very severely by the death of Lady Bernard . . . after an union of thirty-seven years.' She had shared every vicissitude of his career—the comparative calm of Lincoln, disturbed by domestic sorrows and anxieties only, and then the cares of his agitated public life in America; she had seen him gradually broken down by much trouble of many sorts, not the least of which was the blow received in England at the hands of his supposed friends. Her lot had been as hard as his.

So soon as the last sad offices had been solemnised Sir Francis accepted the request of his invaluable niece, Mrs. Edmunds, to pay her a visit with his daughters. Thomas, who was becoming more and more the acting head of the family, probably relieved him of nearly all the necessary cares of business. How capable this young man of eight-and-twenty was of giving good advice to a younger member

[1] Hutchinson, *Diary and Letters*, vol. ii. ch. ii. The date of Lady Bernard's death is also mentioned in Thomas Bernard's *Life of Sir Francis Bernard*, and on the tablet in Aylesbury Church.

of the family the following letter will show. Scrope ha apparently written to know how he should raise money fo furnishing new rooms in Christ Church :

Dear Brother,—Your epistle found me in town ready to recei it. You can't give me greater pleasure than by continuing o mutual commerce of services. On no account would I have you p to the inconvenience and expense of borrowing money; at this time, when it is difficult to be had, except upon terms. I send you the sum you desire, and hope you will fin sufficient. In furniture, you know, if you commence with necessa you may proceed to elegancies at your leisure; and you are well informed as me that younger brothers must be economi particularly when they are a part of a large family. As to — whose example you mention, you can only cite him in the co of enforcing an argument which requires no other motive to s port it than your own wishes, which are always reasonable. conduct and extravagance were neither of service or [sic] of to him, but operated so much the other way, that I have hear shame against him for it in companies where his person was unknown.

I sent you a saddle and bridle by the Saturday's Oxford immediately on my arrival in town. I shall take it for gr that you received it safe. I received yesterday a le Sister White dated Worsboro', 15 June. My father set out for Worsborough on Sunday.

Make my compliments to my friend Barrington, and co congratulations on his accession of dignity on being pro Westminster to Christ Church. Be so good as to s this letter on account of the Div[r].

I remain, dear Brother,
Your ever affectionate
THOMAS B

Lincoln's Inn 23 June, 1778.

On the occasion of this northern journey unde Sir Francis and his daughters, Mrs. Shore was visi Norton Hall, as well as Mrs. Edmunds at Worsboro must have been during this excursion that Fanny F wrote a poem called 'An Address to Norton Hall. I native place, and the seat of some valued friend relations.' This effusion is misdated 1775 in the

[1] MS. letter at Nether Winchenden.

script, but it was clearly written after her mother's death. It begins in somewhat conventional style:

> Hail sweet retirement, beloved retreat,
> Thou ever honoured and still happy seat,

and so on. After enumerating the delights of this pleasant country home, the author continues:

> But chief to thee with gratitude I bow
> For that best blessing which to thee I owe;
> That best of gifts which bounteous Heaven assigned,
> The dear lamented parent I've resigned.

The writer was so charmed with her stay at Norton, that she would fain have prolonged it beyond the stipulated limits—

> But that far different scenes my care demand,
> Affection's call and duty's first command,
> To raise an aged father's drooping head,
> And lead the flock which erst my mother's led.
> Charmed with the task, O let me eager fly,
> Here cast a grateful, not a lingering eye! . . .[1]

As Fanny was only the second daughter at home, and, moreover, there was no 'flock' to lead within the precincts of the Prebendal House, the allusion is probably to some dame school or informal Sunday school which Lady Bernard had superintended, and which, indeed, may have owed its existence to her. The interest she had already evinced in the welfare of the poor—witness her 'Rector's Memorandum Book'—and which she continued to evince in later life, suggests that she had agreed to carry on her mother's work in this direction by arrangement with Emily, who was taking the lead in the house, and perhaps thought her time sufficiently filled up. Julia, who had similar tastes with Fanny, may have been elected her assistant-teacher. As yet National schools were unknown, and Aylesbury had no recognised Sunday school before 1787.[2]

I have no record of the length to which the travellers

[1] MS. at Nether Winchendon.

[2] Gibbs, *History of Aylesbury*, ch. xlix., 'Public Buildings, Institutions, &c.'

extended their stay in the North; but they can hardly have returned to Aylesbury until the autumn. On August 22 Mrs. White's daughter Amelia was born, and this child was named after her grandmother who had so recently died. It seems likely that Mrs. White—perhaps Mr. White also—accompanied her father and sisters about October, or arrived later in the season, as this is the time to which the encounter between Sir John Vanhattem and the baby with its nurse must be referred, if it ever took place at all. Amelia White was the only grandchild of Sir Francis Bernard living at the time of his death.

In December Sir Francis was able to pay a visit to London, and on the 17th dined, probably for the last time, at Governor Hutchinson's house; this may, indeed, have been his last dinner party in London. It bore a thoroughly American impress. The company consisted of 'Mr. Jackson, John Pownall, Galloway, Dr. Chandler, Sir Francis and T. Bernard, Sir W. Pepperell [1] and Col. Leonard.'

Galloway, Chandler, and Pepperell [2] were then busy with the organisation of a Committee of American loyalists from the various Provinces, 'to consider of the proper measures to be pursued on the matters which have been proposed relative to the affairs of the British colonies in North America, and to prepare anything relative thereto, and make report at the next meeting, to be called as soon as ready.' The loyalists knew that some very stringent enactments had been passed in the revolted colonies against all persons of any position who remained staunch to the Crown, and these, no doubt, formed the principal topic of conversation at Mr. Hutchinson's dinner, which can scarcely have been a cheerful feast.

The result was the formation of a committee of thirteen,

[1] Hutchinson, *Diary and Letters*, vol. ii. ch. v.

[2] Sabine, *The American Loyalists*, 'Pepperell, Sir William, Baronet,' in which article the formation of the Committee is recorded at some length. The author gives shorter notices of the other three gentlemen, but their connection with this movement is mentioned only in the Pepperell biographical sketch. Ward also notices these gentlemen by reason of their position and services, but makes no allusion to the scheme then in hand.

of which the four above-named gentlemen were, of course, members; its object appears to have been the defence of the loyalists, who were menaced by the dominant party, and received little sympathy or support from the British Government, or, indeed, from the British people either. The very day after Governor Hutchinson's dinner (December 18) he notes in his 'Diary':

I received two copies of an Act of the State of Massachusetts Bay passed the 10th of October. Each came from France under a blank cover; one, by the superscription, I suspect to have been sent from Boston; the other to be covered in France. This Act prescribes [*sic*] above 300 persons, of which I am first named; then Governor Bernard, Lt. Gov. Oliver, Timothy Ruggles, after which they are generally named in alphabetical order. They, and all others, though not named, who have absented themselves from the State, and been inimical to it, upon their return to the State, are to be forthwith committed to prison, and, as soon after as may be, sent out of the State; and if they return a second time, without leave of the General Court, they are to suffer the pains of death without benefit of clergy.

Five hundred copies were to be sent to the Ministers at the Court of France, to be published, &c.

Col. Stewart brought another Act, which orders the estates of all these persons to be sold; but this it was not thought necessary to send to me.

This last enactment was the only one that affected Sir Francis Bernard, who had no wish to return to America; and it appears by another entry in the 'Diary' a few days later that it had not become law.

24th.—. . . Dr. Gardiner called; has a letter from his son, who obtained leave to visit his father at N. York, but he was sailed when he came there. He writes that he was present when the Act of Attainder passed in Boston, and in the gallery heard the debates; says the persons named in it were much abused. The Act however met with opposition, and was finally carried by 61 to 33. Another Bill for sale of the estates passed the House, but the Council referred the consideration to December, when it is supposed it will pass.

This was a state of things to make Sir Francis uneasy;

and he may even have been anxious about the personal safety of his eldest son, who, however, does not appear to have been among the proscribed, having returned to America before the Declaration of Independence and lived quietly in a remote part of Maine. On this subject I speak with caution, however, as I have not found any mention of John Bernard at the particular moment of the attainder, either for good or evil.

It is curious that a warm friendship had arisen at Oxford between Scrope Bernard and William Wyndham Grenville, the third son of that Right Hon. George Grenville whose Stamp Act had proved the beginning of Sir Francis Bernard's troubles, and who had died the year after the Governor's arrival in England. William Grenville was a year younger than Scrope, and evidently looked up to him with considerable admiration.[1] Probably this friendship was agreeable to his father, who may have seen in it the prospect of some amends for his wrongs.

Another gleam of sunshine was thrown over the last days of Sir Francis by his daughter Julia's engagement to the Rev. Joseph Smith, who had been intimate with the family while curate of Waddesdon, and, on being presented to the living of Wendover, returned to declare his love. Julia wrote many years later:

> I became acquainted with Mr. Smith at seventeen. My brothers were intimate with him, but our first meeting was at a ball. My father and mother were both partial to him; he was handsome and most agreeable in manners; but no thought of anything particular occurred to anyone for two years. I should say—to us, for it was matter of general observation. When his proposals were made, my father did not object; he had a house to carry me to, and we were sincerely attached.

Mr. Smith must have been a singularly attractive man, since he charmed the whole family, and was welcomed as a relative notwithstanding his very moderate possessions and prospects. As to his connections, I have been told that the

[1] Further particulars of their friendship will be found in a subsequent volume of this chronicle.

first Lord Carrington acknowledged him as being of the same lineage,[1] but in what degree I know not.

Fanny went at once to announce the event to Sir William and Lady Elizabeth Lee. She writes to Scrope: 'I find the important intelligence is got all round the town and country. I went over to Hartwell to breakfast this morning, and informed them of it, as I thought it ought to come first from us. Sir Wm. received it very cordially, Ly. E. very coldly; but both sent good wishes.'[2] It is not unlikely that Lady Elizabeth had planned for her young friend a marriage to rank and estate in the neighbourhood, and that her previous disappointment was intensified by the recent news.

It seems curious that Mr. Smith should not only have taken pains to conciliate Sir Francis, and probably Thomas Bernard, but should also have written the following letter, at once jubilant and respectful, to Scrope, then a youth of twenty:

Wendover: Feby. 21st, 1779.

My dear Sir,—Assured of your friendship and confident of your good wishes from the information of your charming sisters, I cannot debar myself the pleasure of acquainting you that I have not only taken courage to declare my sincere attachment to my long beloved Julia, but that I have received the inexpressible satisfaction of finding that I am not indifferent to her. We will talk the matter over when we meet, I hope and trust with that cordiality that will assure me that I have not only gained over the loveliest of women to my interest, but that I have added to me a most sincere friend in her brother.

Believe me, my dear Sir, it was no common pleasure to me to understand that I had a warm supporter in you; and I shall endeavour by the most unreserved confidence in all cases to show, that tho' you cannot gain a wealthy ally in the connection which, I trust, will some time take place, & which I look forward to with so much eagerness, you will find in me a most sincere & affectionate friend.

I shall be particularly happy in receiving a letter from you

[1] The informant was the Rev. Joseph Smith's granddaughter, Mrs. Schneider.

[2] MS. letter at Nether Winchendon.

by the return of the post. I flattered myself, indeed, that I should have seen you in a few days in Oxford; but I rather think I shall not be able to leave Bucks this fortnight.

I remain, my dear Sir,
Yr. most faithful & affectionate Friend & servant,
J. SMITH.[1]

This letter was endorsed by Scrope, 'Mr. Smith's 1st letter on his Proposals,' so that it had a successor—perhaps more than one; but these I have not found.

From Fanny's letter to Scrope on the same occasion, it would seem that the daughters of Sir Francis Bernard were at last fully aware of his precarious condition, and looked forward to the speedy break-up of their home. Fanny had at this time an opportunity of marrying a young friend of the family, who must also have been desirable in a worldly point of view; it would be hardly fair to mention his name, but possibly the reader of these pages may form a guess on the subject. The suitor had not succeeded in winning her heart, and she relinquished this fair promise of prosperity. Her views, as explained to her intended brother-in-law, Mr. Smith, for whom she had a great regard, were as follows:

If I could look forward to Julia's settlement it would influence me in my answer—that, if she wanted a home I should be happy to have one to offer her; if she had one of her own, I would in preference accept one from her; these being the points I wished to settle.

It was settled by Julia's engagement, and Fanny rejected the addresses of her lover.

The excursion to Oxford, recorded in the ensuing letter, must have taken place about this time, and the gentleman whose behaviour is the subject of comment was the rejected lover, perhaps finally dismissed on that same day. He was apparently very young, and did not take his disappointment stoically. The letter is from Julia to Scrope:

Dear Brother,—We got home very safe and comfortably on Wednesday evening after dining at Thame, & all agree in acknow-

[1] MS. letter at Nether Winchendon.

ledging the polite attention of yourself & friends, except —— who I think behaved very comically.

I never thought Oxford so agreeable before; we met with so much amusement in the musical way, from the attention of different people, as added numberless charms to the Quadrangles &c. of Oxford.

My father is not yet gone to London, & does not think of it till Monday, & after all we neither of us go with him, but go together to Gaddesden. I found a letter from Mrs. Shadwell to say she could not receive me at present, & as Fanny has heard nothing from Kensington I give up the thoughts of going there, & I assure you I don't feel mo[rtified][1] at changing those scenes for Gaddesden.

I believe Mr. Smith will accompany my father to London; he intended to have gone next week, & says he shall like very well to go on Monday.

I enclose your buttons and have given the ruffles to Fanny. Our love & regards attend you.

Your ever affectionate Sister,
J. B.[2]

This letter is endorsed by Scrope '—— quere,' referring to the unlucky suitor; perhaps he thought the affair might come on again, but it did not.

The visit mentioned by Julia must have been the last ever paid by Sir Francis Bernard to London. It is not mentioned by Hutchinson, and was probably undertaken for some special purposes. Mr. Smith may have been of more use as a companion for the transaction of business than a daughter; moreover, Thomas Bernard was of course in London, and between the two Sir Francis can never have wanted a strong arm and a clear head to rely upon.

There is some likelihood that one object at least of the journey was to obtain news about the proceedings of the Massachusetts Assembly, and Sir Francis must have learned that no confiscation Act had been passed in December or since, up to the latest date of which news could be obtained. This seems to have tranquillised his mind, for his son Thomas says that his last days were free from anxiety on

[1] This word is hidden by the seal.
[2] MS. letter at Nether Winchendon.

this ground. He no doubt thought the idea had been dropped, and died believing in the honour and honesty of America.

At this time he would naturally converse with some of the loyalists in London, and enter into their troubles and the possibilities of redress. But the first formal meeting of the Committee took place at Spring Gardens Coffee House on May 29,[1] at which time Sir Francis Bernard's connection with the movement must have been arrested by increasing illness.

On June 21 Governor Hutchinson writes:

> A gentleman, who knew me and asked how I had been since he last saw me, informed me Saturday morning, as I was taking my walk, that he went to Aylesbury a day or two before, and that Sir Francis Bernard died Wednesday night the 16th, which has since been confirmed.[2]

No particulars of the last scene are to be found, except the announcement of the end to Scrope in a hasty letter written by Julia, and the account received by Governor Hutchinson from Thomas Bernard when they met in London some months after the event. This account is here given first, because it affords earlier details than the letter:

> For near two months before he died, a dropsy had added itself to his other complaints, and for several of the last weeks the physicians apprehended the water would rise to his lungs, and immediately stop the use of them. . . . About a week before he died he was seized with an epileptick fit, more violent and lasting than any he had had before, and, being looked upon as near his end, his son Thomas was sent for from London. When he came down he endeavoured to rouse his father, and he had reason enough to say—'Are you come? Well, I will get up and come down presently.' A few minutes before he died, being bewildered, he fancied himself on the water, and in some dangerous place, and said, with his usual tone of voice, 'Never fear; if you will but have patience I don't doubt we shall get safe through; but take care how you ever get into such a scrape again.' A con-

[1] Sabine, *American Loyalists*, 'Pepperell, Sir William, Baronet.'

[2] Hutchinson, *Diary and Letters*, vol. ii. ch. v.

vulsion presently came on, and his children were obliged to lay hold of him, to prevent his throwing himself out of bed; the water rose in his stomach as they apprehended, and he died in their arms.[1]

Julia's letter to Scrope is as follows:

Wednesday Night.

Dear Brother,—You are so prepared for the most alarming account of my father that I may venture to tell you we are every moment expecting his death; he had a fit the other night, since when he has taken to his bed; we have had no hopes; he has been delirious all day, and has had one frightful convulsion.

A second has proved, as we feared, too strong; it has carried him off. We have now no more fear; he is released from his uncomfortable state, and we are satisfied.

Adieu, my dear Brother, J. B.[2]

A postscript relates to the inevitable subject of mourning attire:

My brother desires you would order a suit of raven grey, black stockings, &c., to be sent to you on Saturday.

Sir Francis Bernard died within a month of completing his sixty-seventh year. He was buried by the side of Lady Bernard in a vault under Aylesbury Church; two oval mural tablets, one on either side of the altar or Communion-table, were placed as memorials. The Governor and his wife were then persons whom Aylesbury, ecclesiastical as well as civil, delighted to honour. But times changed. In the middle of the nineteenth century, on the restoration of the church, these tablets were removed, not merely from their prominent position in the chancel, but out of the body of the church, and relegated with many others to the obscurity and oblivion of the vestry.[3]

Sir Francis Bernard's memory was held in high honour

[1] Hutchinson, *Diary and Letters*, vol. ii. ch. vii.

[2] MS. letter at Nether Winchendon.

[3] Only the very few monuments considered ornamental were retained. This removal of tablets must have taken place in 1849, when the general restoration of the church commenced. See Gibbs Robert), *History of Aylesbury*, ch. iv., 'The Parish Church.'

by his children, and none of them cherished it more tenderly than Thomas, his father's helpful companion and confidant.

In the 'Memoirs' so often quoted Thomas writes:

His death was easy, and, in one respect, happy, as he expired without a groan in the arms of four of his children. It had also this favourable circumstance that, though the confiscation of his American estates (the greater portion of his property, and partly purchased with monies which his trustees had at his instance sold out of the English Funds) had by a special Act of the Massachusetts State taken place in America six weeks before he died, yet the intelligence thereof did not arrive to increase his anxiety for his children at the hour of death. He had, therefore, no apprehensions to disturb the tranquillity of his last moments that his children would be bereft of above half the property which he supposed he had left them; and that his eldest son, the heir of his title, and the intended heir of the greater part of his American estates, should after the loss of his appointment in America, of his own property, and of the estate destined for him by his father, all that, and a series of confinement and sufferings, the consequences of that unfortunate war, which his father had sacrificed his health and shortened his life in his efforts to prevent—that this son should be almost the only person precluded from participating in that relief which British justice and liberality[1] had provided for the sufferers by the American war—as if, when the father had been marked and distinguished as the first object of the confiscations of America, his son and heir should be the chief and the glaring example of the denial of compensation by Great Britain.[2]

Such fragments of Sir John Bernard's melancholy history as it has been possible to recover will be related in a later part of these family records. He eventually obtained some compensation, but too late to be of much use. A few words concerning his father's old friend and companion in

[1] Some particulars of this relief of the American loyalists will be found in a subsequent volume; it undoubtedly did something, but was insufficient and badly administered. The feeling of the country towards the refugees was most unsympathetic.

[2] *Life of Sir Francis Bernard*, by One of his Sons.

misfortune, Governor Hutchinson, will, however, form a fitting sequel to the life-story just concluded.

Governor Hutchinson did not long survive Sir Francis Bernard. He was evidently a man of a cheery disposition, who thankfully accepted the alleviations of his lot, and found something to enjoy in England; but, like most of the American loyalists, he suffered much. There is a pathetic account in his 'Diary' of a visit to the sick-bed of Commissioner Paxton. Hutchinson states that Paxton[1] 'seemed much affected with the thought of being buried in London.' He had a horror of London churchyards, and pined to return to his native land, were it only to die; 'he would give 100 guineas to be laid by his father and mother under the chapel in Boston.' But the prospect became more and more hopeless. On July 20, about five weeks after the death of Sir Francis Bernard, Mr. Hutchinson writes: 'At Exeter met with the *London Evening* of 18th, with the Act of Massachusetts Bay for confiscating the estates of Gov. Bernard, Hutchinson, the Mandamus Counsellors, and the Crown officers, declaring them aliens, &c.'[2]

Another domestic bereavement was added to the unfortunate Governor's troubles. In February 1780 he lost his son William, or Billy, of consumption.[3] And the news that his estate at Milton, upon which his memory continually dwelt, had been sold to 'one Brown of New York' reached him while he was attending his son's deathbed. At the same time a daughter, married to Dr. Peter Oliver, son of the late Chief Justice, was in great danger from a recent confinement. His robust health gave way under these trials; and it is also probable that the 'No Popery' outbreak, known as the 'Gordon Riots,' which disgraced England in the spring of 1780, had no inconsiderable share in hastening the end.

In this terrible time of convulsion,[4] which threatened

[1] In January 1779; Hutchinson, *Diary and Letters*, vol. ii. ch. vi.

[2] Hutchinson, *Diary and Letters*, vol. ii. ch. vi.

[3] *Ibid.* viii.

[4] Particulars will be found in Lecky's and Jesse's Histories, and other Histories of the times.

the ruin of London and menaced in a lesser degree the whole island, Lord Mansfield, the Lord Chief Justice of England, was the victim of an invasion of his home and a destruction of his property very similar to that suffered by Mr. Hutchinson when Chief Justice of Massachusetts. There was, however, no hesitation in England about putting down the revolt with a strong hand. More than four hundred persons are known to have been killed or wounded by the military, and twenty-nine suffered capital punishment. Others were imprisoned.

Curwen writes of this crisis:

> For some days it was feared the City of London would be laid in ashes, during which the most abandoned and profligate miscreants that ever were nourished by, or have proved the curse of society, were to have availed themselves of the conflagration and terror occasioned thereby, and plundered what the less cruel felons might have spared, perhaps murdering those against whom their spite might have been levelled. . . . So deep was the plan, and so seriously in earnest to ensure complete destruction, that such situations and kinds of business were pitched upon as afforded the most combustible materials for supplying a fierce flame, as oil-dealers, distillers, warehouses, &c.; but a kind interposing Providence stopped the devouring fire, and all is now once again settled, quiet, and, it is to be hoped, safe. To secure which and overawe the profligate and daring, enough of whom all great cities abound in, a large encampment is still continued in Hyde Park of light horse, dragoons, and foot, and are to be kept up during the summer; besides a party (notwithstanding the city mayor and patriotic gentry's remonstrance about city rights) patrolling and keeping guard in London, to the great annoyance and terror of the turbulent and dangerous.[1]

One morning (it was June 3) Mr. Hutchinson, though not apparently worse than usual, was struck with a conviction of his approaching end;[2] he repeated several texts of Scripture and uttered some pious ejaculations, after which

[1] Curwen (Samuel), *Diary and Letters*, ch. xii. 'Letter to William Pynchon, Esq., dated 'Bristol, July 15, 1780.' Bath, Bristol, and probably other cities, were threatened in like manner, and strong repressive measures were everywhere adopted.

[2] Hutchinson, *Diary and Letters*, vol. ii. ch. viii.

he prepared to take an airing, but became insensible while stepping into his carriage, and died a few minutes later. Mrs. Oliver did not long survive him, and her infant also died.

From this account, it is manifest that Hawthorne's sensational picture of Governor Hutchinson's last days as clouded by remorse, and his assertion that the Governor on his deathbed exclaimed that he was 'choking with the blood of the Boston massacre,'[1] has no foundation but the author's inventive faculty. And the report mentioned by Sabine as current in the American States—that he died by his own hand—is equally baseless.[2] The Governor's son Elisha specially notes his 'easy and happy departure. The summit of all my wishes and prayers to Heaven is contained in the one short petition: May I die like him!'

Commissioner Paxton, another victim of the Banishment and Confiscation Acts, was one of the pall-bearers at Governor Hutchinson's funeral, and did not long survive him. He died in 1782. I know not whether he was buried in a London churchyard.

However much the bitter words of an adversary—one whom the sorrows and death of his opponent could not soften—may jar on the mind after reading the story of the two Governors' last hours, it is desirable to quote the remarks made by John Adams as illustrating the tone adopted by American 'patriots.' Adams, still basking in the sunshine of the Parisian Court, wrote on June 17, 1780, to his wife Abigail, whom he called 'Portia': 'London is in the horrors. Governor Hutchinson fell down dead at the first appearance of mobs. They have been terrible.'[3] Then follows a description of the tumults. He continues:

[1] Hawthorne, *Twice Told Tales*, 'Legends of the Province House': iii., 'Edward Randolph's Portrait.'

[2] Sabine, *The American Loyalists*, 'Hutchinson, Thomas, of Massachusetts.'

[3] Adams (John), 'Familiar Letters of John Adams and his Wife, Abigail Adams,' No. 266. Letter dated June 17, 1780.

'In the English papers they have mentioned the death of Mr. Hutchinson with severity,' and then gives an extract from one paper—of course selected by himself for its revolutionary opinions. This chosen specimen concludes: 'Examples are necessary. It is to be hoped that all will not escape into the grave without a previous appearance either on a gibbet or a scaffold.'

Mr. Adams proceeds: 'Governor Bernard, I am told, died last fall. I wish that with these primary instruments of the calamities that now distress almost all the world the evils themselves may come to an end.' And then he winds up with a strain of glorification of himself and his wife, which need not be echoed here.[1] The words with which Thomas Bernard concludes the biography of his father form a more suitable termination to this volume:

Such are the traces which, with a melancholy satisfaction, I have drawn of the character and life of Sir Francis Bernard. The duty which I have prescribed to myself, if it does not claim praise, will at least for its excuse plead the love of truth and piety to the memory of a revered and injured father. The busy scene of care and anxiety, which distinguished his political warfare, is now closed, and he is for ever removed from the vicissitude and uncertainty of human life. The regret and pain which his family have felt, from circumstances which have happened since his decease, could not have entered into the region of bliss; a more enlarged view of the designs of Providence, and a more perfect sense of the brevity and instability of this life, must there extinguish every inquietude and irritation of spirit, and for ever

[1] This passage, although unsuitable for the text, is too characteristic to be altogether omitted. Adams continues, after hoping that 'the evils themselves may come to an end': 'For although they will undoubtedly end in the welfare of mankind, and accomplish the designs of Providence, yet for the present they are not joyous, but grievous. May Heaven permit you and me to enjoy the cool evening of life with tranquillity, undisturbed by the cares of politics or war, and, above all, with the sweetest of all reflections, that neither ambition, nor vanity, nor avarice, nor malice, nor envy, nor revenge, nor fear, nor any base motive or sordid passion, through the whole of this mighty revolution, and the rapid, impetuous course of great and terrible events that have attended it, have drawn us aside from the line of our duty and the dictates of our conscience.'

How stern John Adams's conscience was with regard to political opponents will further appear in a subsequent volume of this family history.

banish them from the realms of peace and happiness. May his children contemplate with pleasure and confidence the talents and probity of their father, and, soothed with the memory of his virtues, forget the return which those virtues have received! And may they, by retracing the events of his life, strengthen and fortify their minds, that, if ever they should be called to such a trial as he underwent, they may imitate him in the conscientious and honourable discharge of their duty, and in integrity of life![1]

[1] *Life of Sir Francis Bernard*, by One of his Sons.

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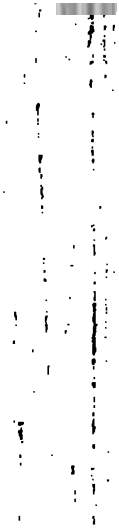

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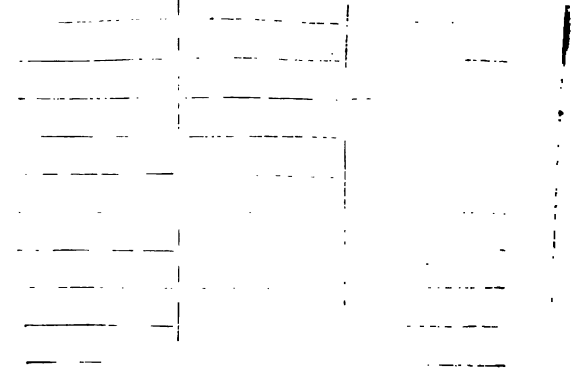

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